

**From:** Sutherland, Ryan  
**Sent:** 2017-07-31T18:15:30-04:00  
**Importance:** Normal  
**Subject:** Daily News Report - July 28-31  
**Received:** 2017-07-31T18:15:45-04:00  
[Daily News Report July 28-31.docx](#)

Attached is the daily news report for July 28-31.

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## BUREAU OF LAND MANAGEMENT

### DAILY NEWS REPORT - UTAH

#### **UTAH – TOP STORIES – JULY 28 - 31 2017**

##### **1. High court calls road claim 'completely nonsensical'**

*The Salt Lake Tribune, July 28 | Brian Maffly*

In a pivotal ruling for Utah's legal battle to control thousands of routes crossing federal land, a divided Utah Supreme Court has held that these road claims have not run out of time under an obscure state law.

##### **2. Herbert asking BLM to 're-evaluate' oil and gas leasing near Dinosaur National Monument**

*The Salt Lake Tribune, July 28 | Brian Maffly*

Gov. Gary Herbert is asking federal land managers to "re-evaluate" three parcels proposed for oil and gas leasing at the doorstep of Dinosaur National Monument, saying that drilling could degrade the site for visitors.

##### **3. Rep. Bishop supports bill for more recreation on public lands**

*The Deseret News, July 28 | Ryan Morgan*

SALT LAKE CITY — A new bipartisan effort could soon allow outdoor adventurers easier access to climbing, skiing, paddling and off-roading on public lands.

##### **4. Report: 'quiet' recreation brought \$17.4 million to Cedar City area**

*The (St George) Spectrum, July 28 | David DeMille*

Hiking, biking, climbing, camping and other non-motorized recreation on federally-managed lands around Cedar City and Beaver contributed an estimated \$17.4 million to the local economy, according to a new "quiet use" report released this week.

##### **5. Outdoor Industry Marches For Public Lands**

*Powder.com, July 28 | Jack Foersterling*

At 4:30 p.m. on Thursday, an estimated 3,000 people marched from the convention center in downtown Salt Lake City to the Utah State Capitol in support of public lands.



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#### **6. Inside the newsroom: A conversation with former Interior Secretary Sally Jewell**

*The Deseret News, July 29 | Doug Wilks*

SALT LAKE CITY — Sally Jewell walked into the Deseret News board room alone, void of any entourage, wearing a black sweater, slacks and a turquoise and coral necklace characteristic of a piece one might find at any of the jewelry outposts that dot the two-lane roads connecting the vistas of the great Southwest.

#### **7. Op-ed: Land is the key to strengthening the economy of Utah**

*The Deseret News, July 29 | Doug Owens*

Last week, the Outdoor Retailer trade show marked its final exposition for the foreseeable future in Utah, ending a 21-year run in Salt Lake City with its summer market show. The Outdoor Retailers will move to Denver for the next five years, starting in January 2018. The show's owners moved in response to political differences with Utah leaders over public lands. As an avid hiker and outdoor enthusiast, I always looked forward to the shows.

#### **8. Fire restrictions being lifted throughout Southern Utah**

*Fox 13 News, July 29 | Brock Damjanovich*

ST. GEORGE, Utah — Fire restrictions in Southern Utah's national parks and monuments and the Dixie National Forest are being rescinded Saturday thanks to the wet weather that has been rolling through the region.

#### **9. Dixie State University adds population health, recreation and sport management degrees**

*The Independent, July 30 | Staff Writer*

The Utah State Board of Regents has approved two new Dixie State University baccalaureate degrees in population health and in recreation and sport management.



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#### 10. Why Americans are fighting over a gorgeous monument called Bears Ears

*The Washington Post, July 30 | Darryl Fears*

The route to Newspaper Rock — so named because it's carved with ancient petroglyphs — from the tiny city of Monticello, Utah, follows a narrow two-lane road through a breathtaking landscape.

#### E&E/NATIONAL NEWS – TOP STORIES

##### 1. The Interior Department has a new mission: to make money

*The Denver Post, July 28 | Catherine Traywick, Bloomberg*

Under President Donald Trump, the U.S. agency that manages the national park system is tweaking its mission to include a new priority: Generating cash.

##### 2. U.S. lawmaker requests investigation into threat to Alaska senators over healthcare vote

*Reuters, July 28 | Valerie Volcovici*

WASHINGTON (Reuters) - A leading Democratic lawmaker on Thursday said he would ask federal officials to investigate reported threats by Interior Secretary Ryan Zinke regarding Alaska energy policy to retaliate against opposition from one of the state's Republican senators to efforts to repeal Obamacare.

##### 3. Zinke caps review of Nevada monuments with Bunkerville visit

*Las Vegas Review-Journal, July 30 | Keith Rogers*

BUNKERVILLE — Interior Secretary Ryan Zinke spoke to reporters early Sunday evening in this rural Clark County community as he wrapped up a much-anticipated visit to Southern Nevada that included a hike at Gold Butte National Monument and stops in Basin and Range National Monument to see American Indian rock art.



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#### 4. In Nevada, Zinke focuses on future of land management

*The (St George) Spectrum, July 30 | Lucas M Thomas*

BUNKERVILLE, Nev. — Three years after a tense standoff between a Cliven Bundy-led militia and federal law enforcement agencies in the Southern Nevada desert, Interior Secretary Ryan Zinke visited the newly christened Gold Butte National Monument on Sunday.

#### 5. 4 Ways Far-Right Groups Are Winning The Social Media Battle

*NPR News, July 31 | Kirk Siegler*

In the rural West, the jailed rancher Cliven Bundy and his militia followers were early and savvy users of social media. Bundy is the man who inspired two armed standoffs against federal agents over control of U.S. public lands.

#### 6. Ryan Zinke, Trump's Cowboy Enforcer, Is Ready for His Closeup

*GQ Magazine, July 31 | Elaina Plott*

It was almost parody, the way he rolled in, Ryan Zinke's six-foot-four frame hunched in the bucket seat of a black SUV. The tires sent up dust as they stopped, and out stepped the secretary of the interior, his gold "MONTANA" belt buckle glinting in the sun. He palmed his cowboy hat onto his head slowly, deliberately, and beheld the horse before him. "Hello, Tonto," Zinke said, his voice as deep as you might expect from a former SEAL commander who fancies himself a kind of latter-day Teddy Roosevelt. Tonto blinked.

#### 7. WILDFIRES: Murkowski calls for cooperation as panel considers issue anew

*E & E News, July 31 | Marc Heller*

The Senate Energy and Natural Resources Committee will revisit wildland fire management in a hearing this week, returning to an issue that has so far defied congressional attempts at compromise.



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#### **8. INTERIOR: Zinke ridicules notion he threatened Murkowski**

*E & E News, July 31 | Jennifer Yachnin*

BUNKERVILLE, Nev. — Interior Secretary Ryan Zinke yesterday dismissed as "laughable" questions about his recent well-publicized phone calls to Alaska's senators and rejected characterizations of his calls as a "threat" to Sen. Lisa Murkowski (R) over her vote against proceeding with health care debate.

#### **9. OIL AND GAS: Greens ask court to enforce decision on methane standards**

*E & E News, July 31 | Amanda Reilly*

Environmental groups today asked a federal court to enforce its decision earlier this month that the Trump administration lacked authority to delay Obama-era methane standards for the oil and gas industry.

#### **10. SAGE GROUSE: Zinke's 'innovative ideas' order may not help birds — report**

*E & E News, July 31 | Scott Streater*

Altering federal greater sage grouse conservation plans to prioritize state-by-state population goals without including "habitat management and restoration" could harm the bird and drive many other sagebrush-dependent species toward federal protection, a new report says.

#### **11. NATIONAL MONUMENTS: Axing sites is a question for the courts — Zinke**

*E & E News, July 31 | Jennifer Yachnin*

BUNKERVILLE, Nev. — Interior Secretary Ryan Zinke yesterday acknowledged that any attempts by the Trump administration to strike down existing national monuments could face legal challenges, but he did not rule out that he could still recommend full-scale rescissions as he reviews the boundaries of dozens of monuments nationwide.



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#### 12. **FLOODS: Burn scars open up barren land to different threat**

*E & E News, July 31 | Dan Frosch, Wall Street Journal*

Intense wildfires have quieted down in some parts of the country, but Western states now must prepare for potential flooding this summer.

#### 13. **PUBLIC LANDS: Border wall bill would ease enviro rules**

*E & E News, July 31 | Jennifer Yachnin*

House Natural Resources Chairman Rob Bishop (R) on Friday praised legislation to advance an expansion of the border wall along the United States' southern boundary with Mexico, noting that the bill would exempt U.S. Customs and Border Protection agents from environmental laws.

#### 14. **MINING: 'Coal to cars'? Ky. company bets that could be a thing**

*E & E News, July 31 | Dylan Brown*

The company behind what could be Wyoming's first new coal mine in years has bet big on the black rocks — but not for generating electricity.



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#### UTAH – FULL STORY

##### 1. **High court calls road claim 'completely nonsensical'**

*The Salt Lake Tribune, July 28 | Brian Maffly*

In a pivotal ruling for Utah's legal battle to control thousands of routes crossing federal land, a divided Utah Supreme Court has held that these road claims have not run out of time under an obscure state law.

Joined by the Southern Utah Wilderness Alliance, federal lawyers had argued the statute in question barred "quiet-title" claims after seven years, meaning that Utah's claim to more than 12,000 routes covering 35,000 miles would have been extinguished as long ago as 1983.

Chief Justice Matthew Durrant wrote that such a result would be "absurd" and deviate from whatever lawmakers intended when they passed the relevant law, known as a statute of repose.

The United States' arguments "would effectively deprive the State of its" claims to thousands of routes — including some that may have existed and been used for decades, Durrant wrote in the ruling handed down Thursday.

The high court called such a result "completely nonsensical" and "so overwhelmingly absurd that no rational legislator could ever be deemed to have supported" it.

Durrant was joined by Justices Christine Durham and Deno Himonas.

A ruling the other way, in favor of the federal government's stance, could potentially have put an end to the litigation involving 22 separate lawsuits, one for each Utah county seeking title to these routes within their borders.

Utah Attorney General Sean D. Reyes applauded the ruling, calling it a "common-sense decision" that re-invigorates the road claims asserted under RS2477, a now-repealed frontier-era statute that gave counties rights of way to roads they cut across the public domain in an effort to encourage development in remote areas of the West.



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Some of these disputed roads are important thoroughfares, but environmentalists say many are obscure tracks that serve no purpose other than to justify counties' efforts to push roads and motorize access into lands proposed for wilderness.

"The Court correctly recognized the absurdity of the federal government's arguments, which have now added two years of delay and taxpayer expense to the State's efforts to obtain the title to roads that federal law has long promised," Reyes said. "I hope the Court's decision convinces the United States now to work collaboratively and quickly with Utah and its Counties to resolve these title claims."

But the court's dissenters rejected the idea that the federal government's interpretation would have produced an absurd result, or even an uncommon one.

Appellate judges Frederic Voros and Kate Toomey sat in for Justices John Pearce and Thomas Lee, who had recused themselves from the case. While concurring with much of the majority opinion, Voros's dissent called it "the most expansive application of the absurdity doctrine in American law."

Voros noted that the allegedly absurd result actually reflects prevailing law nationwide from the passage of the Mining Act in 1866 until the passage of the Quiet Title Act in 1972.

"If that rule of law in fact mandated absurd results, surely in 106 years some court somewhere would have noticed," Voros wrote. "Yet no party cites, nor am I able to discover, any court questioning the rationality of the rule of law that we today declare absurd."

Thursday's ruling allows lawyers to get back to the arduous task of litigating the validity of the state's road claims that have been stewing in U.S. District Court since 2011. The state must demonstrate each road was open to public travel for 10 continuous years prior to 1976 — when the Federal Land Management and Policy Act was passed, repealing RS2477.

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#### 2. **Herbert asking BLM to 're-evaluate' oil and gas leasing near Dinosaur National Monument**

*The Salt Lake Tribune, July 28 | Brian Maffly*

Gov. Gary Herbert is asking federal land managers to "re-evaluate" three parcels proposed for oil and gas leasing at the doorstep of Dinosaur National Monument, saying that drilling could degrade the site for visitors.

The parcels are among 79 managed by the Bureau of Land Management's Vernal and Price field offices and slated to be sold at an online auction Dec. 11. The agency's push to lease public lands close to Dinosaur — and others near Utah's San Rafael Swell, Zion National Park and Bears Ears National Monument — has sparked a national outcry.

"The state wishes to ensure leasing of these parcels does not impact visual resources or cause light or sound disturbances within [Dinosaur] National Monument," Herbert wrote in comments submitted Tuesday as part of an environmental assessment by the BLM.

Although the leases in question are already saddled with various conditions that "could sufficiently mitigate impacts from oil and gas drilling," the governor is urging the BLM to conduct additional review to "ensure energy developments can successfully coexist with outdoor recreation."

The Republican governor's comments mark a departure from the state's previous stance, which demanded the BLM sell leases on all parcels proposed for leasing and ease drilling stipulations.

Ordinarily pro-development Uintah County officials have also voiced concerns about drilling so close to the 211,000-acre Dinosaur monument, which sees 300,000 visitors a year, generating \$13 million in economic activity.

"We like to see the revenue generated by the extractive industry. But on two of the parcels, right next to the monument, there is some concern," said state GOP Rep. Scott Chew, who lives nearby in Jensen. "I know the residents are eager to get back to work and want to protect the monument, too."

The National Parks Conservation Association went much further, calling on the BLM to defer leasing on three abutting parcels, plus another three close to the park. Three of the sites nearly overlap the park's entrance and the Green River and can be seen from the visitor center and the Carnegie Fossil Quarry.

"Industrial scale development will impact the local community and visitor experience in and around the monument by increasing nighttime skyglow, impairing scenic views, increasing heavy equipment traffic



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on the primary entrance road into the park, elevating ambient noise levels and diminishing water and air quality," association officials Cory MacNulty and Jerry Otero wrote in comments to the BLM.

The area west and south of Dinosaur is the subject of a proposed "master leasing plan," initiated by the BLM during President Barack Obama's tenure in the White House.

The agency previously declined to lease within several of these areas, but under new pro-energy leadership, the BLM is now moving forward on leases without the benefit of finalized master lease plans.

Energy industry trade groups applaud the move because they see those leasing plans as unnecessary impediment to development.

But leasing in recreational areas without such plans in place could be "a huge mistake," according to Obama-era Interior Secretary Sally Jewell, who left office in January. Master leasing plans, Jewell said, provide more legal certainty to the extractive industry in ventures on BLM land.

"If I'm going to build out an oil field or lay out a pipeline, I want to make sure I don't get tied up in court with environmental groups or others who are challenging this because a lot of that work has been done in advance," she said Wednesday during a visit to The Salt Lake Tribune's editorial board.

The BLM's Utah office finalized only the Moab master-leasing plan before Jewell left office, while several others remain in limbo, including ones for areas near Bears Ears, the San Rafael Swell and the San Rafael and Cisco deserts.

Reeling from high unemployment, the Uinta Basin relies on access to federal mineral deposits, so leasing more public lands could help ease basin communities' woes.

"Counties such as Duchesne, Uintah and Emery depend on oil and gas development for much-needed tax revenue, while many local residents rely on oil and gas jobs to feed their families and pay for housing," Utah public lands policy director Kathleen Clarke wrote in April.

Others say indiscriminate leasing of public lands will harm the oil and gas industry and could force the U.S. government into a series of costly buybacks on leases that ultimately prove unworkable.

That was the case with Montana's Badger-Two Medicine, an area sacred to tribes just east of Glacier National Park. The Badger was leased in the 1980s, but industry was never able to drill because of widespread opposition.



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"If you want to buy a lease, I would want to make darn sure I'm buying a lease I can do my activity on, whether it's exploration or production," said Jewell, in support of the master-leasing approach. "I don't want to get tied up in court. I want a clear path forward."

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### 3. Rep. Bishop supports bill for more recreation on public lands

*The Deseret News, July 28 | Ryan Morgan*

SALT LAKE CITY — A new bipartisan effort could soon allow outdoor adventurers easier access to climbing, skiing, paddling and off-roading on public lands.

The [Recreation Without Red-Tape Act](#), sponsored by Sen Rob Wyden, D-Oregon, and House Natural Resources Chairman Rob Bishop, R-Utah, would streamline permitting for outfitters and guides catering to outdoor enthusiasts and encourage land management agencies to create more permissive guidelines for recreation on public lands.

"The final goal is to make sure that people have faster and easier access to recreate in the outdoors," Bishop said.

The bill is a resurrection of Wyden's past efforts to ease outdoor recreation restrictions, and the new cooperation found between Wyden and Bishop works to introduce more bipartisan stakeholders and expedite the process to garner support for the bill. Wyden and Bishop each introduced the legislation in their respective chambers in a bicameral effort to propel the bill forward.

"If you have a ranking Democrat in the Senate and the chairman of the committee who is a Republican in the House, both introducing the same bill, both moving them on tracks in both of their agencies, we think we can move it faster because of that," Bishop said.

Bishop said he enjoyed the opportunity for a bipartisan process. Though he said the bill doesn't give either conservatives or liberals everything they desire on land policy, he said it creates a narrow compromise where "people who recreate" are the clear winners.

Stakeholders throughout the outdoor community helped to craft legislation, providing feedback on how issues like permitting, conservation and overall access is complicated by often outdated or inconsistent land-use standards that tend to change from one location to the next.



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"There were some sticking points for sure, but the basic tenants of the bill certainly crossed both aisles and everyone is interested in more-efficient permitting, better land designation, (and) encouraging stewardship," said Erick Murdock, the policy director for the Access Fund, which is a national climbing and environmental group.

Murdock said outfitters and climbing guides often have difficulty getting permits in climbing areas where there can be jurisdictional problems with adjacent Forest Service, BLM and state lands. He said the bill would introduce more cross-agency communication and ease access to recreation areas governed by different state and federal agencies.

"This bill encourages agencies to kind of come together and allow visitors to buy state and federal passes at one place, at one transaction," Murdock said.

In addition to easing permitting guidelines, the bill aims to recognize National Recreation Areas that are specifically designated with recreation in mind. Managing federal agencies would have to consider recreation more carefully and set forth plans for increasing access.

Outdoor Alliance policy director Louis Geltman said the new legislation reflects a change in how land agencies may interpret their managing roles.

"For a long time, the way our land managers were sort of evaluated in the Forest Service had to do with how well they were meeting performance measures for timber production," Geltman said. "I think that recreation is appropriately becoming more of a focus for some of the land management agencies."

The Outdoor Industry Association reports that \$887 billion is spent annually on outdoor recreation and employs 7.6 million workers. Easier access for outfitters and guides and increased recreation opportunities for adventurers could increase that economic output.

"Any good policy that gets more people outside and helps make sure that the lands can continue to provide recreation for Americans and international tourists is good for the recreation economy," said Jessica Wahl, government affairs manager for the Outdoor Industry Association.

Wahl said easing permitting costs would lower barriers to entry for small businesses hoping to cater to local recreation spots and would also encourage large-scale trends in the outdoor recreation industry as states and agencies work together to market land use toward recreation.



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She said the opportunity creates a "sweet spot" where both businesses and customers benefit from the increased access to recreation areas and lowered requirements for permitting.

Bishop said he expects the bill to move forward once Congress reconvenes in the fall.

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#### **4. Report: 'quiet' recreation brought \$17.4 million to Cedar City area**

*The (St George) Spectrum, July 28 | David DeMille*

Hiking, biking, climbing, camping and other non-motorized recreation on federally-managed lands around Cedar City and Beaver contributed an estimated \$17.4 million to the local economy, according to a new "quiet use" report released this week.

Nearly three-quarters of all recreational visits to the land managed by the Bureau of Land Management's Cedar City field office were counted as "quiet," accounting for some 364,000 visits in 2015, according to the report, commissioned by The Pew Charitable Trusts and prepared by ECONorthwest, an economic consulting firm based in Portland, Oregon.

Recreation that does not involve significant motorized activity, such as snowmobiling, motorcycling or off-highway vehicle use, were counted as "quiet" in the report, with driving trips to and from recreation sites not counted.

That amount of visitor spending supports more than 200 jobs and about \$6.1 million in personal income, according to the report, which also calculated the value added to GDP as nearly \$4.7 million and the value of new goods and services brought to the economy at \$12.2 million.

Brynn Strain, senior manager of Cedar Sports, an outdoor gear shop in Cedar City, said she was glad of the opportunity to share the beauty of the areas around the city with patrons and friends.

"The value beyond our own personal investment both in dollars and sweat is gratefully shared by so many as witnessed in the impressive economic impact numbers shown in this new report," Strain said.

The report is the first of its kind in the area and comes as the BLM drafts a new Resource Management Plan (RMP) for the 2.1 million acres of land managed out of the Cedar City office. The RMP will guide management decisions for years to come, with BLM managers tasked with



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balancing demands for things like recreation, energy development and motorized access with the protection of important wilderness areas and places with historic, cultural or scenic values.

The region includes large swaths of both Iron and Beaver counties, including everything from desert flats to high mountain peaks.

The study found that camping was the most popular recreation activity in the area, accounting for 20 percent of all reported visits, followed by hunting (14 percent,) viewing (14 percent,) driving (9 percent) and off-highway vehicle riding (9 percent.)

“This report reaffirms the impact of outdoor recreation as an economic driver in Cedar City and throughout the state,” said Tom Adams, director of the Utah Office of Outdoor Recreation, in an emailed statement. “Collaborating with local, state and federal land managers, we have created world-class outdoor recreation opportunities.”

The RMP process in Cedar City office comes on the heels of one completed last year out of the St. George office, where the agency’s eventual final plans have been controversial.

Local leaders there complained about a lack of involvement, with arguments developing over plans for grazing permits, access to water, open access for off-road vehicles and whether the endangered California Condor should be reintroduced to the area, as well as the agency’s preference that there be no corridor maintained for a potential highway across the Red Cliffs Desert Reserve.

Read the full report at [www.pewtrusts.org](http://www.pewtrusts.org).

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#### 5. **Outdoor Industry Marches For Public Lands**

*Powder.com, July 28 | Jack Foersterling*

At 4:30 p.m. on Thursday, an estimated 3,000 people marched from the convention center in downtown Salt Lake City to the Utah State Capitol in support of public lands.

The march emptied the floor on the second day of the summer Outdoor Retailer tradeshow and unified both the outdoor industry and American public on the importance of our nation’s public lands.



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“The march today was not just about the outdoor industry,” said Claire Smallwood, founding director of SheJumps, an organization that promotes the participation of women in outdoor activities. Smallwood joined industry leaders, colleagues, and skiers on the mile-long march to the Capitol. “It’s about America and all those who live here and care about our country. We have the right to speak up about what we care about.”

After 21 years in Salt Lake City, Outdoor Retailer and their organizer, Outdoor Industry Association, announced this summer’s show would be the final one taking place in Utah. They said their decision was based on the city’s inability to accommodate the show’s growing numbers, in addition to the political issues over public lands in the state. The bi-annual show will be moving to Denver.

The politics that spurred the tradeshow’s move started in February, when Patagonia announced they would no longer attend Outdoor Retailer because of Utah Governor Gary Herbert’s efforts to persuade President Trump to rescind protection of Bears Ears National Monument, which was established by President Obama in his final days in office. Herbert also signed a resolution seeking to reduce the size of Grand Staircase-Escalante National Monument. In April, President Trump signed an executive order directing the Department of the Interior to review the status of 27 national monuments, providing him recommendations on their status, namely revoking or shrinking the designation of federally protected lands.

Thursday’s march was a cooperative effort between Outdoor Retailer and Outdoor Industry Association, along with the Conservation Alliance, and Outdoor Alliance, who represent outdoor businesses and organizations in grassroots environmental pursuits. The march, called “This Land is Our Land,” intends to “provide show attendees a platform to express their support for the outdoor industry’s backbone and foundation: federal public lands,” according to a statement released by tradeshow organizers.

“We aim to communicate that America’s national treasures require investment and effective management today and for generations to come,” said Amy Roberts, executive director of OIA. “And they must remain accessible for all Americans.”

The march started outside of OR at the Salt Palace Convention Center, where hundreds of people marched half an hour to the Utah State Capitol. There, a 45-minute rally focused on the importance of public lands and action against their privatization. Speakers at the rally included



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Utah tribal leaders, outdoor industry leaders, athletes, and policy makers, all passionate about protecting our nation's outdoor landscape.

"It's a pivotal turning point in deciding the future of our industry," said Smallwood. "We're going to have to dig in our heels to fight for what needs to happen."

The march is not the first time the Outdoor Industry Association took a stand in defense of public lands. In February, the group composed an open letter to the Department of the Interior urging the government to keep public lands public. The letter was signed by more than 200 CEOs in the outdoor industry, including brands like Patagonia, The North Face, Salomon, Outdoor Research, and REI.

"Salomon strives to inspire and enable people to get outdoors, and we are excited for our team members to take part in the 'This Land is Our Land March,'" said Brian Holcombe, the spokesperson for Salomon, which is closing their booth early so employees can participate in the march. "Public lands conservation is an incredibly important issue facing not only our industry, but the entire United States, and it is through collective action that we can protect wild spaces where we play, adventure, and do business."

In conjunction with the march, Outdoor Retailer and OIA, along with The Conservation Alliance, and Outdoor Alliance, are working together to find additional ways to feature public lands during the show.

"Outdoor Alliance works on behalf of millions of paddlers, mountain bikers, hikers, climbers, and backcountry skiers who get outside on public lands each year," said Adam Cramer, executive director of Outdoor Alliance, a nonprofit coalition of organizations dedicated to protecting public lands. "Public lands are the foundation of this large and passionate community, and we're excited to lend our voice to this effort to unify the industry around this important issue."

While the ongoing issue of public lands is far from over—Interior Secretary Ryan Zinke is still reviewing 25 National Monuments—the outdoor community hopes that between corporate action from organizations like OIA, industry support from outdoor brands, and the continued support of everyday outdoor recreation participants, America's public lands will remain in public hands, allowing for future enjoyment of the great outdoors for generations to come.

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#### 6. Inside the newsroom: A conversation with former Interior Secretary Sally Jewell

*The Deseret News, July 29 | Doug Wilks*

SALT LAKE CITY — Sally Jewell walked into the Deseret News board room alone, void of any entourage, wearing a black sweater, slacks and a turquoise and coral necklace characteristic of a piece one might find at any of the jewelry outposts that dot the two-lane roads connecting the vistas of the great Southwest.

The former secretary of the Interior ended her time in President Barack Obama's cabinet with the change in the presidential administration and then spent part of the past half-year as a civilian traveling from Washington, D.C. to her home state of Washington.

"My husband and I took an epic road trip from one Washington to the other," she said, as she described stops that "steeped ourselves in the African-American story of the country," including three national monuments established by President Obama.

"But then we spent time in the desert Southwest, including Utah, Organ, (Organ Mountains-Desert Peaks National Monument), Rio Grande del Norte (New Mexico). We camped out — the only people at that point in the campground because it was winter. But beautiful stars, and actually hiking was spectacular there," she said.

"Organ Peaks, my gosh, we went out with a petroleum geologist or geophysicist who worked in the oil industry, retired and is now volunteering for the BLM to interpret the incredible geology down there. And then came into the Four Corners area. That national monument, Mesa Verde, Hovenweep (San Juan County, Utah), and then into the Bears Ears area where we spent several days with a guide."

The Bears Ears National Monument would dominate the next hour of conversation as Jewell met with the Deseret News and KSL editorial boards only hours after giving her first public address since leaving her cabinet position, this time to like-minded land enthusiasts at the Outdoor Retailers convention in Salt Lake City.

Last summer she met with the Deseret News editorial board when the wait was on for a public lands bill from Rep. Rob Bishop, supported by Utah's congressional delegation. But it was slow



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to come, didn't do what Jewell said she expected, so Obama created the Bears Ears National Monument with the stroke of a pen using the Antiquities Act.

Last week she publicly addressed her concerns with President Donald Trump's decision to reconsider that presidential action, questioning the legality of that choice and urging people to fight back.

"I felt it was important to speak up and encourage those that care about protection of these places to bring their voices to the table to make sure that all voices are heard," she said.

But Utahns, even those that are not supportive of the monument designation, want to protect public lands. It's about finding the right way to protect them.

Jewell said the constant chorus of Utah's leaders denouncing the monument turned off the Outdoor Retailers and others out-of-state who question just what Utahns think of the environment. If we can get past the rhetoric from all sides, the question then becomes: Is there any compromise in our future?

"When the Antiquities Act was written, the Federal Land Policy Management Act had not been enacted," Jewell said, responding to the notion that the Antiquities Act was designed to protect the smallest area possible. "I think that was the enabling statute for the BLM that I think was passed in the 1970s. And I believe that the language of FLPMA, as it's nicknamed, helps clarify the role of the executive branch and the role of Congress."

During the conversation, the role of Congress came more clearly into focus. Jewell doesn't want a repeal of the monument, nor does she want the 1.3 million acre size cut back. But in a relatively quick back-and-forth, some clarity emerged:

Deseret News: "If the Utah delegation got together with the Western states and said we need to put forth a management plan that's different, that will work with Bears Ears, would you support that effort?"

Sally Jewell: "Well, I don't know what would be in their proposed bill, but I certainly support the effort of Congress to take a look at any executive actions and say, how do we make these better? ... If they believe there are ways to improve on it they should put those forth to their colleagues and if those things make sense, for example, tribes and their engagement, then I think that's great."



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DN: "As it relates to Bears Ears you said if there's going to be any kind of fix or improvement it belongs in Congress. What could Congress do to improve on the monument designation?"

Jewell: "I'd say to really help clarify the role the tribes play. When you have the Navajo and the Hopi sitting together in a conference room lobbying for the same protections it's pretty rare. These are people that have not always gotten along. The Hopi reservation is completely surrounded by the Navajo reservation and it's been a challenging relationship it's fair to say between both. This was the one exception that I can think of in my time in office where they have banded together to say, this really means a lot to us."

"The different tribes have interacted with the landscape that's Bears Ears in very different ways. You had the ancient Pueblo cultures, which they're the Zuni artists, and you think about cliff dwellings and those innovations that are associated with ancient Pueblo. And then you have the Navajo, for example, that were migrating more across landscapes following the food sources and the seasons. But they found meaning in this place in a variety of different ways."

"So the sites that are sacred to one may be different than the sites that are sacred to another. And I think that there's a real opportunity by bringing them to the table in a really authentic way and giving the government agencies permission to work with them, or even forcing their hand to work with them could really set the stage for a much more productive and constructive relationship between the tribes and the public land managers. And this is a place where that could happen, so that's one example."

When school children (and everyone else) spend time around a campfire singing Woody Guthrie's ballad, "This land is your land, this land is my land," they may not know that it, too, was born in controversy — even protest.

In the 1930s he traveled the country, from the Gulf Coast to California, and as the story goes, grew tired of hearing Kate Smith singing "God Bless America" time and time again on the radio. So he penned his own anthem, with a few protest lyrics that aren't widely known and were rarely recorded.

What is left for posterity is a song that brings up all that is good about America, and the time-honored notion that the land really is made for you and me.



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Time will tell how we feel about the Bears Ears National Monument and the public lands that help make Utah an amazing place to live and visit. But it's clear the choices made now will have an impact.

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#### **7. Op-ed: Land is the key to strengthening the economy of Utah**

*The Deseret News, July 29 | Doug Owens*

Last week, the Outdoor Retailer trade show marked its final exposition for the foreseeable future in Utah, ending a 21-year run in Salt Lake City with its summer market show. The Outdoor Retailers will move to Denver for the next five years, starting in January 2018. The show's owners moved in response to political differences with Utah leaders over public lands. As an avid hiker and outdoor enthusiast, I always looked forward to the shows.

Most of us know that losing the Outdoor Retailer trade show is a tremendous economic loss for Utah. Twice each year, the show has drawn 40,000 attendees who spend significant sums of money on hotels, meals and transportation. The show has directly contributed nearly \$50 million annually in spending to our state and local economies; its total direct and indirect economic value to Utah has been estimated at \$300 million each year. The show's departure will undoubtedly have a huge impact on all kinds of Utah businesses.

According to a recent survey by Dan Jones & Associates, most Utahns are not happy about losing the Outdoor Retailers and most aren't happy with how our state's leaders handled negotiations with the Outdoor Industry Association and the show's owners.

I too am deeply disappointed at losing the Outdoor Retailer shows. While many are eager to place blame on Utah's elected leaders or the Outdoor Industry Association, I don't blame either side. Instead, I point to the politics that forced both groups to retreat to their respective corners without truly hearing each other out in a meaningful conversation. I blame political parties and partisan rhetoric.

For the past three decades, Utahns have been inundated with political rhetoric focused on state vs. federal control of our lands. This debate has shaped their attitudes and perceptions, and has framed their understanding of our state's natural places. Lost in this conversation have been important economic considerations, and the fact that Utah's lands are vital to keeping our



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economy strong. The political debate has pitted environmentalists against industry, narrowing the argument to one between jobs and wilderness. But that has never reflected the reality of Utah's economy.

It's no secret that Utah is the most beautiful of all 50 states. As Utahns, we know that our state offers a variety and accessibility of outdoor activities and scenery that is second to none. Utahns are intensely passionate about outdoor recreation. A recent study by the David Eccles School of Business shows that we participate in outdoor activities at an extraordinarily high rate. Most Utahns recreate outdoors at least once every week, and nearly 90 percent of Utah residents say that outdoor recreation is "very important" to them.

Utahns aren't alone in our passion for our state's natural places. Most of us are familiar with the money that outdoor recreation and tourism bring to our local economies. Each year, outdoor recreation directly generates \$12.3 billion in consumer spending, supports more than 110,000 good local jobs, and contributes \$3.9 billion in wages and salaries, as well as \$737 million in state and local tax revenue. Outdoor recreation directly produces twice as many jobs in Utah than the mining and energy industries, combined.

But the real value of Utah's lands isn't limited to outdoor recreation and tourism — it's much, much bigger. Businesses of all kinds love Utah because they recognize the broad, far-reaching economic value of our lands. Utah's world-class outdoor recreation is a vital draw for businesses looking to lure out-of-state talent and a big incentive for local talent to stay. Utah's outdoors provide a hugely important recruiting tool for our burgeoning high-tech and financial sectors, who tout recreation opportunities to candidates for their highly compensated positions.

Utah's natural landscapes attract new businesses. Entrepreneurs choose to locate or expand their companies here because they and their teams want access to the outdoors. The Governor's Office of Economic Development has reported that scores of non-outdoor companies indicated outdoor recreation as a factor in selecting Utah as a business location.

Utah's landscape drives new construction. New construction in areas nearest our national monuments and parks has outpaced the rest of the state, with new housing units increasing from 53 percent in Grand County (near Arches and Canyonlands) to a whopping 318 percent in Kane County (near Grand Staircase-Escalante).



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If Utahns are so invested in and passionate about outdoor recreation, and if Utah's lands have proven to be such a uniquely powerful economic engine to boost all kinds of local and statewide job growth, why is there such a profound disconnect when it comes to the economic reality of Utah lands and the attitudes expressed by so many Utah voters and public officials?

The simple answer is that Utahns' opinions about our lands have been shaped by decades of partisan political debate. Too often the conversation surrounding Utah's lands has been driven or derailed by political parties and politicians.

When then-President Clinton created the Grand Staircase-Escalante National Monument in 1996, Utah's political leaders were given virtually zero notice and residents never had a chance to weigh in on what became the largest national monument in the United States. Our state's leaders and many Utahns at the time expressed surprise and dismay, and vigorously opposed the monument designation.

In Utah, Clinton's action was seen as intended to block a planned coal mine operation on a remote site on the Kaiparowits Plateau, which was protected by the new monument. Before the designation, Utah state officials had projected the coal mine would create 1,000 local jobs and generate \$1 million in annual revenues to Kane County. Local residents were understandably upset. Then-Gov. Mike Leavitt stated, "The monument designation will impact people's jobs and the ability of their children to make a living in the area."

But over the past 21 years, the economic value of Grand Staircase-Escalante has become evident. The monument has spurred incredible growth in the surrounding communities, in Garfield and Kane counties, and throughout southern Utah. Hotel and lodging revenue in Kane County alone doubled in the three years following the monument's creation, hitting a new high of \$9 million in 1999. From 2001 to 2015, jobs grew by 24 percent and personal income went up 32 percent in the Grand Staircase-Escalante region.

Today, Utah tourism officials promote Grand Staircase-Escalante's natural wonders and tout its record number of 900,000 visitors in 2015. Once widely opposed to the monument, most Utahns now support it. A 2016 survey found that Utah voters believe the monument has been good for the state by a two-to-one margin. Earlier this year, a survey by Dan Jones & Associates found that most Utahns oppose any attempt to rescind or reduce its size.



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Utahns' opinions are still mixed regarding our newest monument. The latest Dan Jones & Associates survey, released Wednesday, shows that Utah voters are split on whether or not Bears Ears should be reduced in size, with a small plurality saying it's too big. While we can't say for certain what the future holds for Bears Ears, it's a good bet that it will be an economic engine to boost businesses and create jobs in San Juan County and beyond.

As Utahns, we know that our state is special. We know that no other place offers such an incredible diversity of landscapes and unparalleled access to outdoor recreation. But too few Utahns fully understand that our lands are the key to strengthening our economy today and keeping it strong tomorrow. In the conversation about Utah's national parks, national monuments and public lands, it's time to end the political distractions and start focusing on economic facts. Only then will we truly know that Utah's great outdoors are our greatest economic asset.

*Doug Owens was born and raised in Salt Lake City. He and his wife Cynthia have four children. As an attorney, Owens has more than 25 years of experience resolving complex commercial, environmental, and employment challenges. Owens is committed to helping businesses grow by protecting the natural places that make Utah special.*

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#### 8. Fire restrictions being lifted throughout Southern Utah

*Fox 13 News, July 29 | Brock Damjanovich*

ST. GEORGE, Utah – Fire restrictions in Southern Utah's national parks and monuments and the Dixie National Forest are being rescinded Saturday thanks to the wet weather that has been rolling through the region.

“Recent precipitation and higher relative humidity resulting in higher fuel moistures, lowering the fire hazard and reducing fire danger” for areas overseen by National Park Service and Dixie National Forest managers, Color County Inter-agency Fire Center officials said in a news release Friday.

“Fire Managers continually evaluate conditions for the need for fire restrictions. Please verify with your local land management agency before conducting any fire related activity in question.” the news release states.



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According to St. George News fire restrictions were also recently rescinded in the Coconino and Kaibab National Forests in Arizona.

**Fire restrictions have been lifted for:**

National Park Service (Zion and Bryce Canyon national parks; Cedar Breaks, Pipe Spring and Rainbow Bridge national monuments; Glen Canyon National Recreation Area).

Dixie National Forest (Pine Valley, Cedar City, Powell and Escalante ranger districts, including Oak Grove Campground and road access).

Fire restrictions remain in effect for the restricted lands in Washington, Iron, Beaver, Kane and Garfield counties.

**These restricted lands include:**

Unincorporated privately owned and all state administered lands (Utah Division of Forestry, Fire and State Lands).

Bureau of Land Management (Utah).

Bureau of Indian Affairs (Trust lands of the Shivwits, Cedar, Indian Peaks, and Kaibab band reservations).

Incorporated towns and cities are not included in these restrictions.

**The following describes restrictions that remain in place for areas covered by the BLM's Color Country District and the state of Utah/private unincorporated lands:**

Igniting, building, maintaining, or using a fire, including charcoal and briquettes, outside a fire structure provided by the agency within a designated area is prohibited.

All developed recreation sites, campgrounds, picnic areas and home sites that are maintained and administered by the agency, or home sites where running water is present, are allowed. Stoves or grills that are fueled solely by liquid petroleum fuels are also allowed. Campfires and charcoal fires are allowed in Lava Point Campground.



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When using a portable stove, make sure the area is clear of grasses and other fine fuels. Prevent stoves from tipping and starting a fire.

The use of tracer ammunition, explosives, fireworks or any incendiary devices (including explosive targets) and the use of explosives, flares or other incendiary devices are always prohibited year-round on federal and state lands.

According to St. George News, violators also may be held personally responsible for reimbursement of fire suppression costs.

Find a full list of these restrictions and exceptions on the original [St. George News article](#).

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#### **9. Dixie State University adds population health, recreation and sport management degrees**

*The Independent, July 30 | Staff Writer*

The Utah State Board of Regents has approved two new Dixie State University baccalaureate degrees in population health and in recreation and sport management.

The population health program will offer emphases in both health care administration and public health. As a whole, the degree focuses on the health outcomes of groups of individuals and how those outcomes are distributed within those groups. Students will take a core of courses that will help them develop a greater understanding of the breadth of population health in the U.S. Dixie Regional Medical Center will partner in the program, and students will also interact with DSU's Health and Counseling Center.

“This program is the first of its kind in Utah and is aligned with emerging national trends in population health management,” said Dr. Michael Lacourse, DSU provost and vice president of academic affairs. “It will prepare students for careers in healthcare administration and public health, using powerful population health management principles and practices as the foundation.”

DSU’s recreation and sport management program aims to prepare students for careers in the recreation, sport, fitness, and tourism industries. The new degree will provide emphases in sport management, corporate recreation and wellness, and experience industry management. The need



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for educated professionals in these career areas continues to increase on a large scale, but is even more in demand in recreational communities like St. George.

“The program is experiential by nature of the industry, and St. George is the perfect destination for it,” said Dr. Joseph Lovell, assistant professor of recreation management. “We hope to capitalize on this as we seek opportunities for our students to partner with private, public and nonprofit organizations through class projects as well as the capstone 400-hour internship required of all student majors. It will be a win-win for our students and the community.”

Enrollment in both degrees will open this fall.

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#### **10. Why Americans are fighting over a gorgeous monument called Bears Ears**

*The Washington Post, July 30 | Darryl Fears*

The route to Newspaper Rock — so named because it’s carved with ancient petroglyphs — from the tiny city of Monticello, Utah, follows a narrow two-lane road through a breathtaking landscape.

It’s breathtaking partly because of the way the land craters into canyons on stretches of State Road 211, causing uninitiated drivers to grip the steering wheel. Soon the earth rises into mountains that seem to glow red under the sun. On one short stretch, the mountains divide, giving way to the road.

This is the northern part of the Bears Ears National Monument, which President Barack Obama designated as a monument in December. President Trump has been considering a reversal of that decision.

Trump issued an executive order in late April to review Bears Ears and 26 other land and marine monuments within 120 days, a period that ends in late August. Trump was fiercely lobbied by Utah public officials who are opposed to the new monument, and he paid special attention to Bears Ears, calling on Interior Secretary Ryan Zinke to review it first.

Dogged by protesters who support monument status as a way to protect Bears Ears and its archaeological sites, Zinke toured the 1.35 million-acre site in the spring, calling it “drop-dead



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gorgeous land.” Within weeks, he recommended that the monument be dramatically scaled down. He said a final decision wouldn’t be made until the other monuments had been reviewed.

So it’s not clear whether the portion of Bears Ears that leads to Newspaper Rock will remain part of the monument. Zinke gave no indication of what should stay and what should go, saying that Congress has a role to play in future efforts to carve up the nation’s newest monument.

Utah residents who live near Bears Ears are among those who oppose monument designation. They regard it as a federal intrusion in a state where the U.S. government owns more than 60 percent of the land. Supporters — who contributed 80 percent of the comments solicited in the review process — favor keeping Bears Ears whole. It is the only monument designated at the request of a coalition of Native American tribes: Navajo, Hopi, Zuni and Ute.

Newspaper Rock is an odd name for a boulder seemingly in the middle of nowhere, its Native American petroglyphs recording 2,000 years of history.

It’s been described as spiritual and eerie. There are drawings of humans with small heads and big bodies and of wheels that sit off on their own. There are also people on horseback and animals that were probably hunted as game.

Conservationists say there are tens of thousands of similarly valuable sites in Bears Ears, containing pottery, drawings, dwellings and spiritual gathering places.

As arresting as the symbols at Newspaper Rock is their lack of protection. All that stands between gawkers who could deface centuries of history is a single wrought-iron fence that a teenager could hop without much effort.

Monument designations often outpace the hiring of personnel to protect antiquities. Sometimes Congress neglects to provide the funding immediately because of politics or the slow pace of budget decisions.

The monument is more than “drop-dead gorgeous,” as Zinke described it during his tour. It is history carved in stone. And it feels alive.

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#### E&E/NATIONAL NEWS – FULL STORY

##### 1. **The Interior Department has a new mission: to make money**

*The Denver Post, July 28 | Catherine Traywick, Bloomberg*

Under President Donald Trump, the U.S. agency that manages the national park system is tweaking its mission to include a new priority: Generating cash.

Interior Secretary Ryan Zinke aims to retool the agency into a federal profit center focused on increasing energy production, according to a plan laid out by his special adviser, Vincent DeVito.

“Our objective here is to bring as many resources online as responsibly as we can,” DeVito said during an event in Washington Thursday. “We are changing the way the government is doing business.”

That means running the government as though it actually is a business, according to DeVito, who refers to himself as a “senior manager” within “the Department of Interior Energy.”

The agency needs to offer federal leaseholders, whom he calls “investors,” a reason to partner with the government, which hasn’t been a particularly good business partner in the past, he said. That means opening up more resources, making permitting easier and “aggressively” cutting regulations on private industry.

Zinke has already taken major steps in that direction, overturning an Obama-era moratorium on new coal leases and starting the process of overhauling rules to curb hydraulic fracturing and methane flaring on public lands. He’s also planning to rewrite a five-year offshore leasing plan finalized by President Barack Obama which banned drilling in the Atlantic Ocean and parts of offshore Alaska, and has accepted applications from oil companies seeking to conduct seismic testing off the Atlantic coast.

It’s only the tip of the iceberg, according to DeVito, who was an early Trump supporter and a member of the president’s transition team before joining the Interior Department.

The ultimate goal is to bring in more money by changing the way federal lands are managed. Royalty revenues from gas and coal leasing fell significantly under the Obama administration.



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Coal production on federal lands fell 39 percent between 2008 and 2016, while gas production declined by 30 percent, according to data from the Office of Natural Resources Revenue. Oil production, by contrast, rose 32 percent during the same period.

Oil, gas and coal production are obvious revenue opportunities, but DeVito said that solar and wind on federal lands are fair game, too, as long as the end result is “a marked increase in dollars into the federal government. That is kind of the metric that we are judging ourselves by.”

DeVito’s remarks echo those made by Zinke in recent months. The Interior chief has advocated raising royalty rates to help fund the National Park Service and other programs. Any new revenue will ultimately benefit conservation, DeVito said.

But environmental advocates dismiss that argument, pointing instead to the president’s 2018 budget request, which seeks to cut dramatically conservation programs.

“Secretary Zinke’s job is to steward the national parks and monuments and not turn them over to the oil and gas industry,” said Alex Taurel of the League of Conservation Voters. “No one should believe that this drilling and mining has anything to do with conservation.”

The agency’s new approach, which DeVito characterizes as “aggressive” has already spurred a raft of legal challenges, but DeVito said he’s not worried about that: “Being sued is not something we take into serious deliberation when we exercise the secretary’s discretion.”

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#### **2. U.S. lawmaker requests investigation into threat to Alaska senators over healthcare vote**

*Reuters, July 28 | Valerie Volcovici*

WASHINGTON (Reuters) - A leading Democratic lawmaker on Thursday said he would ask federal officials to investigate reported threats by Interior Secretary Ryan Zinke regarding Alaska energy policy to retaliate against opposition from one of the state’s Republican senators to efforts to repeal Obamacare.



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U.S. Representative Raul Grijalva of Arizona, the top Democrat on the House of Representatives' Committee on Natural Resources, said an investigation is necessary and called Zinke's actions unethical.

The congressman will ask the Government Accountability Office, the Interior Department's inspector general or both to investigate, a spokesman said.

The Alaska Dispatch News on Thursday reported that Zinke had called Senators Lisa Murkowski and Dan Sullivan, both Republicans, on Wednesday. He warned them that Murkowski's vote on Tuesday against a motion to begin debate on the healthcare overhaul could have negative consequences for energy and land use in Alaska, the newspaper said. Murkowski's no vote forced Vice President Mike Pence to cast a tie-breaking vote to pass the motion by a 51-50 ballot.

The call from Zinke followed a phone conversation Murkowski had with Republican President Donald Trump on Tuesday, which she described to E&E News, an energy and environment publication, as "very unpleasant."

Murkowski spokeswoman Karina Petersen confirmed that Zinke had called the senator.

"Threatening to punish your rivals as political blackmail is something we'd see from the Kremlin," Grijalva said. "Secretary Zinke's willingness to deliver these threats speaks volumes about his ethical standards and demonstrates that Interior's policy positions are up for political grabs, rather than based on science or the public interest."

Zinke's office did not respond to requests for comment.

His Interior Department oversees more than 20 percent of federal land, including national parks such as Yosemite, and deals with energy development on public land and offshore areas. The department deals with policies crucial to Alaska's economy such as oil drilling and control of wildlife areas. Until he became a Cabinet member earlier this year, he was himself a U.S. congressman, representing Montana.

Murkowski, as chair of the Senate Committee on Energy and Natural Resources, oversees appropriations and appointee confirmations for the Interior Department.



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Separately, Interior Department watchdog group the Western Values Project filed a records request related to Zinke's calls to Murkowski and Sullivan.

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### **3. Zinke caps review of Nevada monuments with Bunkerville visit**

*Las Vegas Review-Journal, July 30 | Keith Rogers*

BUNKERVILLE — Interior Secretary Ryan Zinke spoke to reporters early Sunday evening in this rural Clark County community as he wrapped up a much-anticipated visit to Southern Nevada that included a hike at Gold Butte National Monument and stops in Basin and Range National Monument to see American Indian rock art.

“As a steward of our greatest treasures, it’s good to get out,” Zinke said as he stood in the sun against a backdrop of the Gold Butte range. “As a former Navy SEAL, I think it’s important to go out on the front line and actually meet people because the view from the Potomac is a lot different than the Virgin River.”

The interior secretary visited the monuments as part of President Donald Trump’s executive order mandating a review of 22 national monuments and five marine national monuments created by presidential decree since Jan. 1, 1996, to determine whether the designations should be scaled back or eliminated.

“What I’ve learned in the monument review is every monument is unique,” said Zinke, who wore a cowboy hat as he answered reporters’ questions.

“In a lot of cases people are afraid public land is going to be sold so they feel like a monument is a tool to make sure that public land stays in public hands,” he said, adding, “Out front, I am an advocate to never sell or transfer public land. So is the president.”

Zinke is expected to present Trump with his final recommendations by the end of August. Speaking outside Brian Haviland’s residence near Gold Butte, Zinke offered insight into criteria for downsizing.



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“Again, the definition (of a national monument) is fairly loose so we’re going through and evaluating,” he said. “What’s the object? Is the protection in the smallest area compatible with protection of that object?”

And, he said, “If we’re going to protect those objects that the monument is intended to do, then you have to have things like a bathroom there so people hiking up a trail can use the restroom before they look at the petroglyphs or dwellings.”

Based on his tours Sunday, he said Nevada’s monuments need better road maintenance so public access is not interrupted.

“The good thing is, I haven’t met anybody on either side that doesn’t love the land,” and they agree it’s worth protecting, he said. “So there’s more in common on the monuments than there are opposites.”

Before Zinke’s arrival, Russ Graves voiced concern about the size of the Gold Butte monument. “I’d just like to see the size reduced,” said Graves, 73, who owns an orchard that is part of a 220-acre ranch.

Whitney Pocket, the Devil’s Throat sinkhole and a few other locations on Gold Butte should be part of the monument, but other parts don’t have antiquities value, he said.

Zinke had planned to stay in Mesquite through Monday to meet with U.S. Rep. Dina Titus, D-Nev., and stakeholders there and in Overton on the last leg of a swing through the West. But he canceled those plans to return to Washington, D.C., for the first Cabinet meeting with new White House Chief of Staff John Kelly.

While the Monday meeting was scuttled, Zinke did meet with some stakeholders Sunday and has scheduled phone meetings with others, including the Moapa Band of Paiute Indians, according to his staff.

The Riverside Road location where Zinke spoke is within three miles of the April 2014 armed standoff on the Virgin River between federal agents from his department and militia supporters of defiant rancher Cliven Bundy — the subject of a high-visibility trial in federal court in Las Vegas.



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Asked by the Las Vegas Review-Journal if the Interior Department plans to round up Bundy's stray cattle from the Gold Butte monument, Zinke said: "I'm not going to address that issue." Regarding ranching on public land, he said, "As we look at the rancher, that's as much a part of the culture of a lot of these monuments as some of the objects."

#### **Feeling forgotten**

Bundy's wife, Carol, said she was disappointed Zinke didn't meet with her on his way to Gold Butte despite her efforts to reach him through emails, certified letters and phone calls to staff. "We have not received one phone call back," she said, sitting in the living room of the Bundy ranch house Sunday. "We feel like we're forgotten. Yet my husband and four of our sons, a total of 19 men, sit in prison under the guise of charges of the Department of Interior, which Mr. Zinke is in control over, and they have committed no crime."

"Why would you come to my front yard and not reach out to my family and hear our pleas so that I could hear his as well?" she said.

Zinke said he's trying to change the image of Interior Department agencies with heavy-handed law enforcement officers.

"We should be the happy department," he said.

"When you see a BLM truck you should think land manager and not law enforcement, which we work with through our local sheriffs."

Zinke's visit to Nevada started early. After his flight landed in Las Vegas at about 7:30 a.m., Zinke flew by helicopter to Gold Butte's Whitney Pocket, where he hiked with several local officials. Other stops included White River Narrows, a Basin and Range petroglyph site; artist Michael Heiser's "City" project where he met with Los Angeles County Museum of Art staff members; and the Mount Irish petroglyph site in Basin and Range, where he met with Friends of Gold Butte. Earlier Sunday, U.S. Sen. Catherine Cortez Masto, D-Nev., released a video of her support for the national monuments.

"Our outdoor recreation in Nevada is a boon to our economy, 148,000 jobs, billions of dollars in revenue to the economy," she said in the video. "And that's worth fighting for."



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Contact Keith Rogers at [krogers@reviewjournal.com](mailto:krogers@reviewjournal.com) or 702-383-0308. Follow [@KeithRogers2](#) on Twitter.

#### **About the monuments**

In his proclamation designating Gold Butte National Monument, President Barack Obama called the region “a landscape of contrast and transition, where dramatically chiseled red sandstone, twisting canyons, and tree-clad mountains punctuate flat stretches of the Mojave Desert.”

Gold Butte encompasses nearly 300,000 and was created Dec. 28, 2016.

Basin and Range National Monument was designated in July 2015 and covers 704,000 acres in Lincoln and Nye counties.

Obama’s proclamation said, “The vast, rugged landscape redefines our notions of distance and space and brings into sharp focus the will and resolve of the people who have lived here. The unbroken expanse is an invaluable treasure for our Nation and will continue to serve as an irreplaceable resource for archaeologists, historians, and ecologists for generations to come.”

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#### **4. In Nevada, Zinke focuses on future of land management**

*The (St George) Spectrum, July 30 | Lucas M Thomas*

BUNKERVILLE, Nev. — Three years after a tense standoff between a Cliven Bundy-led militia and federal law enforcement agencies in the Southern Nevada desert, Interior Secretary Ryan Zinke visited the newly christened Gold Butte National Monument on Sunday.

There weren't any protests. No drama. No arrests.

While local wounds are still fresh, the scene was calm as Zinke spoke to a group of reporters on a private residence in Bunkerville, just miles from the site of the 2014 standoff near the Bundy family ranch.



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“I’m not going to address that issue,” Zinke answered when asked if he had plans to round up cattle belonging to Bundy.

Zinke didn’t appear to be interested in rehashing the past, choosing instead to speak mostly about managing the land into the future. He stressed what he said is the importance of public access and ensuring any monument designation is “the smallest area compatible with protection of the object” — a phrase Zinke repeated several times throughout a 25-minute conversation with reporters.

“I’m an advocate for monuments,” he said. “I think the monument experience in our country, over our country’s history, has been positive.”

As part of his review of 27 national monuments, mandated through an executive order by President Trump, Zinke also visited Basin and Range National Monument during his visit to the Silver State. Basin and Range covers more than 700,000 acres in Lincoln and Nye counties.

In speaking with reporters, Zinke addressed concerns that the monument review might entail downsizing, which could leave formerly protected areas vulnerable to commercial development or mining.

“What I’ve learned in the monument review is that every monument is unique. In a lot of cases, people are afraid that public land is going to be sold so they feel like a monument is a tool to make sure that public land stays in public hands. Up front, I am an advocate to never sell or transfer public land, and so is the president,” Zinke said.

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#### **5. 4 Ways Far-Right Groups Are Winning The Social Media Battle**

*NPR News, July 31 | Kirk Siegler*

In the rural West, the jailed rancher Cliven Bundy and his militia followers were early and savvy users of social media. Bundy is the man who inspired two armed standoffs against federal agents over control of U.S. public lands.

Now, as a series of federal trials has begun for the 2014 standoff near the Bundy ranch, his followers are regularly using Facebook Live to do their own reporting on the cases.



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Experts who monitor radical and extremist groups say the militia movement in particular has always used newsletters and chat forums to reach their followers. But social media, with its unfiltered and instantaneous nature, has helped galvanize the movement and reach people far beyond the American West.

Here are four ways the Bundys and others in his movement are gaining supporters and winning the PR battle on social media:

#### 1. Live streaming reports

Few local - and even fewer national news outlets - are covering the minutia of the court proceedings against the 17 defendants facing a range of felony charges for their role in the Bundy Ranch standoff. But regularly, a small group of self-described patriots takes to Facebook Live outside the federal court house in Las Vegas, and live streams reports of the daily proceedings. Cell phones and recording devices aren't allowed inside.

During the lunch breaks, and after court adjourns for the day, Andrea Olson-Parker, the wife of one of the militiamen on trial, provides a painstaking readout of the court proceedings. With her husband facing a prison sentence of more than 60 years, she often mixes in commentary.

"The more I do this, the more I hear other people that have been railroaded by the exact same system that's doing this," she says.

#### 2. Direct access to activists

Thanks to Facebook Live, Cliven Bundy's son, Ammon Bundy, is able to talk directly to his followers in real time from prison:

The Bundys have a deep mistrust of the federal court system, political elites and especially the traditional news media.

Shawna Cox, a close family friend and one of the defendants acquitted for occupying the Malheur National Wildlife Refuge in Oregon, says social media allows for the movement to bypass the traditional media which many of them see as one player in a much larger, corrupt system.



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"You have to have somebody you believe," Cox tells NPR. "If it's somebody that you know or trust that's giving you that information, that's the line you're going to follow."

Cox knows personally the power of social media. At the Oregon standoff, she used her cell phone to capture the fatal shooting of fellow militant LaVoy Finicum at a police roadblock north of the refuge. It was later released by the authorities, and it quickly went viral on YouTube.

Cox says social media is a powerful recruitment tool. "Because one person will be here on the ground and they'll send it out, and they'll share it and Facebook goes ballistic."

#### 3. Capitalizing on the information divide

There are plenty of examples of political fringe groups on both the right and left using social media to advance their message, and part of the effectiveness of this can be owed to the fact that a growing number of Americans on the right say they don't trust the news media.

Spend some time with the Bundys and their followers and it's easy to see that there's just as much of an information divide in this country as there is one over politics, or rural versus urban.

"I don't think anybody trusts the media, they don't trust agencies, they don't trust really much of anybody," says Erika Schumacher of University of Nevada, Las Vegas. "They're going to look for whoever they identify with and that's who they're going to believe."

Schumacher recently retired from the federal Bureau of Land Management. She coordinated federal law enforcement's response from the ground at the Bundy standoff in 2014, a tense and stressful several days where many federal land managers worried of a bloody shootout. More than three years on, she's still frustrated.

"We never got ahead of the message," she says. "We never articulated why we were out there."

While the militants could comment online as the drama unfolded, Schumacher says the BLM was only responding to traditional news outlets, hours, even days later.

"Even if we did get it out there, there was already this other stuff that was being said, our piece [was] forgotten," she says.



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#### 4. Emotional appeals to fans and followers

Recently, as the Nevada trials have begun, some of the men's wives have been taking to Facebook with tearful and often heartfelt pleas to be heard.

Angie Bundy, wife of Ryan Bundy, recently thanked her followers on Facebook while sitting in her car before heading into one of her kids' music recitals.

And Brianna Bundy, wife of Mel Bundy, read a letter she wrote to Interior Secretary Ryan Zinke.

Those emotional pleas help the movement's ongoing PR messaging battle with the federal government.

Mark Pitcavage, a senior researcher at the Anti-Defamation League's Center on Extremism, says the family's legions of online supporters tend to be divided up between militia sympathizers and those who say they don't recognize federal control of public lands in the West.

"The main thing they use it for is propaganda," Pitcavage says.

But calls for an armed revolution are few within the movement, he says, which casts itself as "defensive" by nature. The Bundys view themselves as protectors of the Constitution, albeit a narrow interpretation, and say they're protecting against an overreaching federal government.

"These are radical movements," Pitcavage says. "They're unhappy with the status quo, they want to change society."

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#### 6. **Ryan Zinke, Trump's Cowboy Enforcer, Is Ready for His Closeup**

*GQ Magazine, July 31 | Elaina Plott*

It was almost parody, the way he rolled in, Ryan Zinke's six-foot-four frame hunched in the bucket seat of a black SUV. The tires sent up dust as they stopped, and out stepped the secretary of the interior, his gold "MONTANA" belt buckle glinting in the sun. He palmed his cowboy hat onto his head slowly, deliberately, and beheld the horse before him. "Hello, Tonto," Zinke said, his



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voice as deep as you might expect from a former SEAL commander who fancies himself a kind of latter-day Teddy Roosevelt. Tonto blinked.

Though Zinke may have looked the part of the Western cowboy, he is in fact a big player in Donald Trump's Washington. That much was made clear last week when—despite the many chores that keep him busy at the Interior Department—Zinke decided he wanted a piece of the healthcare debate, too. He rang up Alaska Senator Lisa Murkowski, urging her to fall in line on the White House-backed effort to repeal Obamacare, and threatening to compromise energy projects important to her state if she didn't. The move no doubt endeared him to Trump, but it sparked the ire of House Democrats, who now want the incident investigated. ("The call was professional and the media stories are totally sensationalized," Zinke's spokeswoman tells me.)

Moments like these can make Trump's D.C. feel like a stressful place—a hive of murky gamesmanship and scrambled moral calculating. And a horse can help soothe some of that. I found Zinke and his mount, that Saturday morning not long ago, near the Lincoln Memorial reflecting pool, where the U.S. Park Police houses its horses. As interior secretary, Zinke administers almost all of America's public lands, including Washington's various monuments and the National Mall, where he'd invited me to join him for a ride. (He's also the boss of the Park Police officers, which means that when he refuses to wear a helmet, they have no choice but to indulge him.) So we set off down the Mall, the secretary wearing a blue checked shirt and white-stitched cowboy boots, like a wannabe Wayne for our hero-less times.

The 55-year-old likes to ride here every few weeks, to "get out in the field, like a commander should," as he puts it. It's also a fine way for a politician like him to glad-hand with sightseers—though none has any idea who Ryan Zinke is.

"You must be here from Texas!" one man shouts to the secretary.

True, the lineage of interior secretaries isn't exactly the stuff of Schoolhouse Rock songs, and even among members of the cabinet, he's a relatively unfamous face: Zinke had only been in Congress for a couple of years when Trump plucked him out of seeming obscurity to run Interior. But if Zinke's track record is any indication, he has every intention of leveraging his new post on Team Trump into something much bigger. And while hitching one's political future to this particular administration could be seen as something of a risky move, Zinke's daring has often been rewarded.



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Back in 2015, while he was serving as Montana's sole congressman, he gamely offered to become the Speaker of the House, should Paul Ryan turn down the gig. At that point, Zinke had been in Washington all of about ten months. Roughly six months later, when he announced his endorsement of Donald Trump, he threw in that he'd be "honored to be part of the cabinet" but also, as a mere suggestion, that he'd be similarly "honored to be the vice president."

It's perhaps fitting that a guy with such little political experience and such big political dreams would find his way to Trump's radar. After the election, Zinke was hosting his office Christmas party in Washington when he got the call from Reince Priebus, the then-presumptive (now-former) chief of staff. Mr. Trump, Priebus told Zinke, wanted to see him in New York.

Rumors buzzed that he'd been shortlisted for the job atop the Interior Department, but when Zinke and his wife, Lola, passed through the gilded doors of Trump Tower, he actually had no clue what position he was interviewing for—Priebus had never said definitively. And by the end of a rambling conversation with the president-elect, Zinke still wasn't entirely sure.

"The conversation went a hundred seconds. It went from women in combat to Syria policy to the Chinese to energy independence, a little about public lands, a little about hunting access," Zinke tells me. "Most of the conversation was not really Interior, per se." At one point, Trump proposed the Veterans Affairs post, to which Zinke quipped, "I don't think you hate me that much."

He was flying back to Montana when Mike Pence called him. "The vice president says, 'Well, congratulations!'" Zinke recalls, sharing the moment he was asked to join the Trump Cabinet, "and I asked him, 'What job?'"

It was so very Trump, the slapdash interview and offer. But it revealed just as much about Zinke, too, and his flexible ambitions. The story made the rounds within the department, worrying some career staffers that their incoming boss had no real attachment to the job. But even those left over from the Obama administration were reassured during Zinke's confirmation hearing. He was committed to conservation, he said; he was adamantly opposed to the GOP-backed idea of transferring federal lands to the states and was someone who, unlike Trump, did not believe that climate change was a "hoax." Later, in a much-praised speech to staffers, Zinke even pledged to protect the department from rumblings of budget cuts coming from the White House.

But four months in, many of those same staffers fear that Zinke has taken to spouting the Trump line, shifting the department's focus toward resource extraction—offshore drilling, for example—



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and away from the conservation principles they expected. And he's failed to stave off White House budget slashers who've proposed cutting funding by 12 percent. (The House would later approve a 7 percent cut.) "It's like he got one speech," says one recently departed Interior staffer, "and then he was reined in."

The members of Trump's cabinet face plenty of annoyances that are not new. Cabinet secretaries throughout time have felt marginalized by the West Wing, which is always greedy to run the agencies from the White House. But in this administration, leaders like Zinke face the new and Trump-centric frustration of dealing with a White House that often recklessly undercuts or contradicts its stated positions, sometimes in the same day they're announced. In early June, for instance, Secretary of State Rex Tillerson told a scrum of reporters in the Treaty Room that he'd urged Saudi Arabia to ease its blockade of Qatar, to help the U.S. combat ISIS. Mere hours later, Trump urged the Saudis to instead sever their Qatari ties. Two weeks before, Defense Secretary James Mattis watched slack-jawed as Trump went off-script during a speech to enrage NATO allies.

It makes for a whim-driven administration that could complicate the path forward for someone like Zinke, who wants to emerge from this circus as more than merely unscathed. He wants to be a political star in his own right.

Thirty minutes into our ride, after snaking through another throng of tourists, we approach the Washington Monument—that stone memorial to the original military man turned president—and Zinke takes stock of these still-early days of the Trump administration. "The president is the best boss I've ever had," Zinke tells me, "but there's a lot of distractions and chatter." He tugs on his reins to pause for a moment and consider the structure, the city's tallest by edict. "You're just always looking for ways to stay above that."

To the extent that Ryan Zinke has made himself familiar so far to Americans, it's likely because of a moment last month, during the first full meeting of the cabinet. With reporters and cameramen craning their necks for a better view, the president asked each agency head to introduce themselves to the room. What should have been a breezy name-check devolved, however, into what can only be described as a bizarre Trump veneration session, in which his cabinet secretaries and his top aides waxed profusely about the "blessing"—as Priebus so pitifully put it—of working for him. Trump looked on, beaming.



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Zinke managed to come off better than many of the others. Less sycophantic, at least. "Mr. President," he said, "as your SEAL on your staff...it's an honor to be your steward of our public lands and the generator of energy dominance. I am deeply honored."

The episode revealed quite a bit about how Trump views himself in relation to his cabinet—that is, the star amid a class of supporting characters who've realized that the gateway to Trump's favor, perhaps, is flattery.

Reflecting on the oddity of that meeting and the news it generated, Zinke, typically well-spoken with a tendency to filibuster, stammers a bit. "Uh, you know, it was impromptu," he says. "Each member was free to...to...say a short message, and more or less introduction. It was done fairly quickly, I thought."

I ask if Republicans would've recoiled had something similar happened in the Obama administration, especially given their criticism that his supporters attached a messianic status to the forty-fourth president. "It was, uh, you know, I looked at that as certainly...it must have been a slow news day," Zinke says.

For all that camera-ready affection for the boss, members of the Trump cabinet, Zinke included, admit to being frustrated with the White House, which they say has left them chronically short-staffed. According to the Partnership for Public Service, the White House has yet to nominate staffers for 357 out of 570 key agency positions. So far, only 50 nominees have been confirmed. (By this time in their first terms, President Obama had gotten 228 confirmed; George W. Bush, 208.)

One theory for the backlog? Trump's fixation on loyalty, which has short-circuited nominations from the State Department to Housing and Urban Development. "If you're blacklisted for having ever criticized Trump," one former State Department official complained to me, "then your government is going to be empty."

Another explanation is the inexperience of Trump's own staff, heavy with government outsiders. "Who's the experienced hand in the Trump White House who would know that this is what needs to happen?" says longtime Trump adviser Roger Stone. "When Reince agreed to become chief of staff, he agreed to hiring powers. This is a failing on his part. He really should go to Greece." (This, in reference to Trump's alleged threat to exile his chief of staff to the Greece ambassadorship. Priebus did not respond to requests for comment.)



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Zinke, four months into the job, has been able to fill only two key positions that require White House approval, out of 15 vacancies. He notes that he's submitted the names of "awfully good, just super people," but that the past few months have been a waiting game. "Operating a business sometimes is a little different from operating in the Oval Office," Zinke says. "[In business], it's just 'All right, you're hired.' But I think the White House is running into the swamp...there's a bureaucracy there that's very difficult to determine." (Zinke may have himself to thank for recent inaction, though. The day after his unseemly call to Murkowski, the Senate Energy and Natural Resources Committee, which the Alaska senator chairs, announced that hearings for a slate of Zinke's nominees would be delayed.)

Another obstacle has been the infighting and leaking emanating from the White House. The palace intrigue, the fixation on loyalty, the need to hunt down the leakers—it's prompted Trump advisers to give White House aides unprecedented power to keep an eye on each of the cabinet departments. These liaisons were initially tasked with ensuring that agency heads and staff were committed to the president's agenda, and then reporting back. The arrangement created a kind of shadow cabinet that one Republican operative described to me as "zombies loyal to Jared."

Zinke insists that he and his team have gotten along just fine with their designated White House minder, but John Kelly, who served until last week as the secretary of homeland security, was a bit more candid when we spoke. "I don't need a lot of supervision," he told me. "Obviously the White House is getting its legs under it, but early on it was a bit of a pain. They were getting in other people's business a little bit too much." (Kelly's tune will presumably change: On Friday he was named White House chief of staff.)

Over the past few months, as tensions have risen, the White House monitoring system has broken down—and in many agencies, it's now been discontinued entirely. At the Environmental Protection Agency, for instance, relations became so strained between chief Scott Pruitt and his two White House monitors that Pruitt's chief of staff finally barred them from senior staff meetings, according to a source directly involved in the decision. The White House insisted that the setup was always intended to be temporary, but as one of the former aides told me, "We were prepared to stay and serve the president."

For Zinke, it's a constant cloud of noise that makes the cross-country travel associated with his job all the more enticing. In the past two months, he's traversed such spots as the Arctic Circle, Alaska, Nevada, Utah, up and down New England, and his own home of Montana. "I try to travel as much as I can," Zinke says. "It's good to talk to as many people and park staff as I can on the ground,



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face-to-face." Frequent contact with park-goers and staff helps him correct misperceptions, he says. Which is useful, because he's found that, with the constant rumors of chaos roiling this administration, "people can be slow to trust us."

Zinke first got the idea that jumping on the Trump train might make sense from his wife, Lola, who went on to serve on the campaign's Hispanic advisory council. She saw in Trump a work ethic that reminded her of her husband. "The president never sleeps," she tells me, "and I've never seen my husband take a sick day."

As he began to campaign for Trump, Zinke then managed to cement a friendship of sorts with his son Donald Trump Jr., a fellow avid fisherman and hunter. The two shared a belief that the federal government ought to be a steward of public lands, something most Republicans believe is best left to the states. All of which helped put Zinke on the path to a plum GOP convention speaking slot and ultimately that interview in Trump Tower. "Zinke was Donny Jr.'s pick," Roger Stone says. "I don't think Trump even knew who he was."

It's tempting to view such moments as happenstance, a chance meeting with a chance figure who opened the door to a chance job. But if Zinke's professional career has shown anything, it's that he's adept at steering himself toward high-profile opportunities. Zinke may not have announced his political intentions quite as publicly as, say, Ted Cruz—who, while still in high school, famously foretold his intended trajectory from Princeton to a Supreme Court clerkship to Texas office—but he set his eyes on politics early. Rich Brooks, then the head football coach at the University of Oregon, remembers a winter morning in 1980 when a tall, lanky Zinke sat down for his recruitment interview and said, plainly, "I want to be the governor of Montana."

His 23 years as a Navy SEAL was part of his plan, too. As Zinke would demonstrate in his zippy eight-year jaunt from the Montana state senate to the president's cabinet, his service as a SEAL was a surefire way of endearing him to Republicans of all stripes. Indeed, Ryan Zinke makes it difficult not to know that he was a SEAL, and not just any old SEAL—a member of the vaunted SEAL Team 6, "the team responsible for the mission to get Osama bin Laden," as much of his past campaign literature states in boldfaced type. (The intentionally ambiguous phrasing drew controversy on the trail, as Zinke had retired a good three years before bin Laden was killed.)

In June, during that now-infamous cabinet meeting, it was notable that Zinke was the only official to tout his own credentials, reminding Trump and everyone in the room and everyone in America watching cable news that he was, lest you forget, a SEAL. It was in that one statement



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that Zinke underscored the tension that will likely define his tenure: crafting an independent brand within this administration—something to cling to when the currents get rough—while demonstrating the veneration and loyalty this president demands.

"This will be a supreme political test for everyone in proximity to Trump," says Republican operative Steve Schmidt. "There will be a small number of people who emerge from this who...have a brand that's independent from this president, and Zinke has every potential to be one of them. So to the degree he can be out on the road, he should be—far, far away from D.C."

In order to straddle this line, John Kelly, tells me he's advised Zinke, above all, "to protect your prerogatives." But it's unclear how successful Zinke's been in doing that. Beyond lifting the ban on offshore drilling in the Arctic, Zinke has also begun a cross-country tour of monuments that were developed under the Teddy Roosevelt-authored Antiquities Act, reviewing them to see what protections might be rolled back to allow for development. (He says curbing drilling restrictions off coastal monuments, for instance, could help restore the \$15.5 billion in revenue he claims was lost under Obama.) Most recently, he announced plans to slash all Obama-era regulations on fracking.

Former Interior officials, initially heartened by Zinke's conservationist rhetoric, are puzzled by the departure in tone. "Right now, the department reflects President Trump's refrain that the fossil-fuel industry is America's future, and doesn't reflect the conservation priorities that Zinke tends to talk about," says former Interior deputy secretary David Hayes. "You have to wonder what changed."

Zinke insists his thinking hasn't evolved since joining the Trump team. "I view that as, quite frankly, absolutely false," he says. "I'm not an advocate for the sale and transfer of public lands. I've outlined a direction that I think is prudent...that you can responsibly harvest timber or produce oil and gas, but you have to hold people accountable. We are blessed with great resources, but it's important that it is used for the benefit and enjoyment of the people. My intentions are true to the Roosevelt legacy."

Whether he has in fact changed, of course, is not necessarily the point. What matters for Zinke is choosing the path that positions him for the next big thing, whether the Trump administration thrives or crumbles. Zinke doesn't quite seem to know yet what that path is. It may be imitating an official like Mattis, who's gamely kept his distance from the larger machinations of Trumpworld. Or perhaps he'll decide that the best way to stay above it all—the distractions and the chatter, as he put it—is to keep his head down. To be, above all, a good soldier.



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On a recent Tuesday, I meet Zinke in his C Street office, a cavernous, mahogany space that he tells me is the largest office of any of the cabinet secretaries. (It's actually second to the EPA administrator's.) Featured along the walls are a bust of Teddy Roosevelt, Western art from his own collection, his Oregon football gear, a map of Montana. There's a taxidermy grizzly bear in the far corner, too, erect and with teeth bared.

And then there's the terrace. Zinke may oversee 500 million of the most beautiful acres this country contains—mountains and glaciers and lakes and canyons. But he's lately come to appreciate this sliver of a view, where the emblems of Washington—the monuments, the Capitol—glow under the summer sun. A post-work drink on his private porch, with this vista, is one of the few ways Zinke has managed to look past the morass. As others in the administration occupy themselves with the hellfire of the Russia probe, the mess of the health-care initiative, or the phantom stages of tax reform, Zinke reminds himself that during his first months on the job he's ridden Tonto to work, explored Norway, and instituted the federal government's first "Doggy Days," when hundreds of Interior staffers brought their dogs to work.

He's also made some new pals. He's naturally closest with the fellow veterans Mattis and Kelly, the former with whom he served in Iraq, but he's also become good friends with Agriculture Secretary Sonny Perdue (the two, along with their wives, sat together at Treasury Secretary Steven Mnuchin's recent Washington wedding. "We all danced a bit," Zinke says). He's fond of Energy Secretary Rick Perry, too. "Secretary Perry is a wonderful guy," he says. "I think he thought his department was more about energy than...science. Mostly, it's science. And, of course, they also have responsibility of our nuclear arsenal. Interior is the one that produces energy...we laugh a lot about it." Couched in Zinke's charming, folksy affect, such a worrisome admission sounds somehow less troubling—more like an inside joke, a quirky facet of Club Cabinet.

Zinke will face scrutiny in the weeks ahead, as the White House responds to his recommendation to shrink Utah's Bears Ears National Monument—one of the last parcels of land Obama designated for federal protection. The 1.3 million red-rocked acres of twisting canyons are home to roughly 100,000 archaeological sites as well as land sacred to Native Americans. No president in history has shrunk the size of a monument, and it remains to be seen how Trump will react to Zinke's recommendation.

When Zinke and I were in the saddle and on the Mall, surveying those monuments to our country's great leaders, I asked him about his own ambitions. He waved off questions about the



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White House. "I think the president is going to serve two terms," he says. If that does indeed happen, he knows it'll be Pence's turn afterward, and he'll be supporting him. The two have become close since assuming office—"I call Pence the Rock of Gibraltar," Zinke says. "Would you want to be his running mate?" I ask. Despite his best effort, a grin escapes him. "Oh, I don't know about that," he says, in the tone of someone who most certainly does know about that.

I ask him how he feels about tying his own political legacy to Trump's. And like a good soldier, he looks over, flashes a smile, and says, "I should be so lucky."

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#### **7. WILDFIRES: Murkowski calls for cooperation as panel considers issue anew**

*E & E News, July 31 | Marc Heller*

The Senate Energy and Natural Resources Committee will revisit wildland fire management in a hearing this week, returning to an issue that has so far defied congressional attempts at compromise.

In announcing the hearing, committee Chairwoman Lisa Murkowski (R-Alaska) cited a need for cooperation among federal and nonfederal entities and for improved technology to reduce fire risks and enhance firefighter safety.

Congress remains stuck in a debate about how to pay for wildfire costs and what changes are needed in how the Forest Service manages fire-prone areas. Murkowski and the committee's ranking Democrat, Sen. Maria Cantwell (D-Wash.), support legislation to use disaster funding — treating fires similarly to natural disasters — and to reduce some of the bureaucratic hurdles the Forest Service faces in thinning forests.

Other lawmakers, particularly Republicans in the House, are urging a more vigorous rollback of environmental laws that require extensive reviews before certain forest-thinning projects. That's in addition to revamping the way the government pays for fires, which has involved borrowing money from non-fire-related accounts at the Forest Service.

The committee hadn't released the witness list for the hearing by late Friday.



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In addition to the forest management and funding debates, the government grapples with how to fight forest fires. The Forest Service has expanded its fleet of tanker airplanes that drop a mix of chemicals and water on fires but hasn't accepted the world's biggest such aircraft, a converted Boeing 747 offered by Global SuperTanker Services LLC, which has been used in Israel and Argentina.

The plane can drop as much as 19,000 gallons of liquid, but the Forest Service has a limit of 5,000 gallons on the airplanes it employs for the purpose. The company has pressed the Forest Service and lawmakers to drop the restriction.

Other technological challenges — and potential improvements — affect wildfire management. NASA has supported research on using weather pattern data to better predict wildfire behavior, and the Forest Service has said it is interested in using drones for firefighting but doesn't have a formal system in place for the use of unmanned aircraft.

Drones that aren't being flown for firefighting become a risk to Forest Service operations in fire zones, and federal officials and Congress have made moves to curtail them. The government has developed improved maps so drone operators can avoid certain areas, and Rep. Paul Cook (R-Calif.) has reintroduced legislation [H.R. 1138](#) that would prohibit the flying of drones around wildfires. That measure, resembling a bill he also introduced last year, has been referred to the Judiciary Committee (E&E News PM, June 9).

**Schedule:** The hearing is Thursday, Aug. 3, at 10 a.m. in 366 Dirksen.

**Witnesses:** TBA.

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#### 8. **INTERIOR: Zinke ridicules notion he threatened Murkowski**

*E & E News, July 31 | Jennifer Yachnin*

BUNKERVILLE, Nev. — Interior Secretary Ryan Zinke yesterday dismissed as "laughable" questions about his recent well-publicized phone calls to Alaska's senators and rejected characterizations of his calls as a "threat" to Sen. Lisa Murkowski (R) over her vote against proceeding with health care debate.



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Zinke addressed the phone calls during a press conference here marking the end of his daylong tour of both the Gold Butte and Basin and Range national monuments.

Alaska Sen. Dan Sullivan (R) first revealed Zinke's phone call over the health care issue in an interview with the Alaska Dispatch News last week, asserting that Zinke had said Murkowski's opposition to the health care debate could have ramifications for the state's energy industry.

"I'm not going to go into the details, but I fear that the strong economic growth, pro-energy, pro-mining, pro-jobs and personnel from Alaska who are part of those policies are going to stop," Sullivan said Thursday (Greenwire, July 27).

Murkowski declined to discuss the details of her own call with Zinke but told E&E News last week: "I don't want to go into the contents of a personal call, but it was a difficult call, let's just say."

Asked yesterday to recount his conversation with the senators, Zinke said: "I talk to Sen. Murkowski and Sen. Sullivan all the time."

As a reporter attempted to clarify, Zinke continued: "A lot's been said about a lot of things. But I talk to them all the time. We get along well."

Asked whether he had issued threats to the senators, Zinke said: "The moon has been characterized as a threat, too, so I think it's laughable."

House Natural Resources Chairman Rob Bishop (R-Utah) said last week he was not familiar with the calls but suggested that such pressure from the executive branch is "not unprecedented."

Nonetheless, Reps. Frank Pallone of New Jersey and Raúl Grijalva of Arizona, the top Democrats on the Energy and Commerce and Natural Resources committees, last week asked both the Government Accountability Office and the Interior Department's inspector general to review whether the telephone calls violate any legal or ethical standards, including the the Anti-Lobbying Act and Antideficiency Act (E&E Daily, July 28).

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#### 9. OIL AND GAS: Greens ask court to enforce decision on methane standards

*E & E News, July 31 | Amanda Reilly*

Environmental groups today asked a federal court to enforce its decision earlier this month that the Trump administration lacked authority to delay Obama-era methane standards for the oil and gas industry.

In a court filing, the groups accused U.S. EPA and Administrator Scott Pruitt of needlessly delaying compliance with the decision.

"Administrator Pruitt and his industry and state allies continue to benefit from the unlawful stay," environmentalists told the U.S. Court of Appeals for the District of Columbia Circuit this morning.

The groups — the Clean Air Council, Earthworks, the Environmental Defense Fund, the Environmental Integrity Project, the Natural Resources Defense Council and the Sierra Club — asked the D.C. Circuit to reissue its mandate cementing the July 3 decision. The court had pulled the mandate to give EPA time to decide whether to appeal the ruling.

At issue are Clean Air Act standards that the Obama administration released last year to curb methane leaks from new and modified oil and gas operations. Pruitt announced in June that he was staying compliance with the standards by 90 days as the agency considered an industry petition for reconsideration.

But early this month, the D.C. Circuit issued a split 2-1 ruling finding that EPA didn't have the authority under the Clean Air Act to delay the standards. On the same day, the court issued a mandate requiring EPA to restore the standards (Greenwire, July 3).

A few days later, EPA asked the court to withdraw the mandate and delay compliance with the decision for nearly seven weeks while it considered whether to file a petition for rehearing or seek other methods of appeal.

The agency also said that oil and gas companies needed more time to figure out how to comply with the standards, which were supposed to take effect in early June.

"The regulated community would ordinarily be afforded a reasonable amount of time to make the necessary adjustments to ensure compliance," EPA said.



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The D.C. Circuit partially granted the agency's request, giving EPA a "limited," two-week reprieve from complying with the court decision. The court noted that giving EPA any longer would, in effect, give the agency the stay that was found to be illegal in the first place (E&E News PM, July 13).

As the court's two-week deadline closed Thursday, industry intervenors in the case filed a petition for rehearing, arguing that the court lacked jurisdiction to review EPA's postponement of the methane standards because it was not a final agency action (Energywire, July 28).

On Friday, a coalition of state opponents of the methane standards filed a short petition for rehearing, mostly just stating its support for industry's arguments.

But EPA, without explaining its decision, failed to file its own petition requesting a rehearing during the two-week period. Meanwhile, it is moving ahead on a proposal to further delay the standards by two years.

In their [motion](#) today asking the court to reissue the mandate, environmental groups noted the absence of the EPA petition and called the industry and state requests "flimsy" attempts to seek further delay in compliance with the methane standards.

"The filing of such flimsy petitions cannot be permitted to accomplish the delay this court found unlawful," the green groups said.

The greens also said that EPA's proposal to extend the stay in the methane standards did not justify the agency's decision not to enforce the 2016 Obama-era rule.

"EPA has not revised the 2016 rule, and unless and until it does so, the agency is bound to enforce it and industry is bound to comply with it," the groups' motion says.

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#### 10. **SAGE GROUSE: Zinke's 'innovative ideas' order may not help birds — report**

*E & E News, July 31 | Scott Streater*

Altering federal greater sage grouse conservation plans to prioritize state-by-state population goals without including "habitat management and restoration" could harm the bird and drive many other sagebrush-dependent species toward federal protection, a new report says.



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The [white paper](#), produced by the Western Association of Fish and Wildlife Agencies (WAFWA), suggests that the current federal greater sage grouse protection plans now under review by the Trump administration should not be significantly altered.

The paper, and three other WAFWA white papers on sage grouse, address aspects of Interior Secretary Ryan Zinke's secretarial order that established a team to review the Obama-era federal grouse conservation plans and suggest changes (Greenwire, June 7). Zinke's order directed the team to consider "creative approaches and ideas" to sage grouse management, including setting population targets for the bird in each of the 11 Western states with grouse habitat.

"There are a lot of innovative ideas out there," Zinke said last month in announcing the secretarial order. "I don't want to take anything off the table when we talk about a plan."

But because the ground-dwelling bird is so dependent upon the sagebrush ecosystem, shifting the policy — which amended 98 Bureau of Land Management and Forest Service land-use plans — away from habitat conservation could reduce sage grouse populations, says the white paper from WAFWA, which represents fish and game agencies in 23 states and Canadian provinces.

"Efforts to enhance, restore, and protect habitats from conversion and degradation will be necessary to achieve population goals that are in aggregate sufficient to deter" a future listing under the Endangered Species Act, the paper says.

That could lead to an onslaught of ESA petitions from conservation groups and others seeking federal protection for the 350 or so other species that depend upon the sagebrush ecosystem.

"Population level management actions to benefit sage-grouse don't provide benefits to other sagebrush dependent species," particularly if those other species are used "to mitigate for loss or degradation of habitat," the paper says.

"For this reason, any significant retraction of habitat-based protections afforded in BLM Land Use Plan Amendments or Forest Plan Revisions may lead to additional petitions on sagebrush species of conservation concern such as pygmy rabbits," the paper concludes.

A separate WAFWA [white paper](#) also takes issue with another management change suggested by Zinke involving the establishment of a captive breeding program as a way to maintain sage grouse populations.



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That paper says, "Techniques for captive rearing of sage-grouse are still in their infancy although significant strides have been made in the last 10 years."

What's more, establishing a successful "captive flock" could mean poaching as many as 369 grouse eggs from nests in the wild, creating the "potential for impacts to source populations" of wild sage grouse in an effort "to provide the number of eggs needed."

The white papers come as the review team, composed mostly of BLM, Fish and Wildlife Service and U.S. Geological Survey officials, is scheduled as early as this week to submit recommendations to Zinke on possible changes to the federal plans, including adopting population counts and captive breeding into grouse conservation.

The potential changes to the plans finalized in September 2015 prompted four senators, including Environment and Public Works Committee ranking member Tom Carper (D-Del.), to send a letter this month to Zinke asking him to provide "a full list of those appointed to serve" on the review panel, and to answer questions about the panel's schedule and focus (E&E News PM, July 13).

The senators asked Zinke to supply the information to them by July 21; Zinke has yet to respond to the letter, according to a spokeswoman for Carper.

The captive breeding and population count reports are two of four white papers that are part of WAFWA's Sagebrush Ecosystem Initiative.

Ed Arnett, a wildlife biologist and senior scientist at the Theodore Roosevelt Conservation Partnership, and Nada Culver, senior counsel and director of the Wilderness Society's BLM Action Center, analyzed the white papers.

They wrote that the white papers show that some of the changes to the federal plans suggested by Zinke "are not consistent with accepted science or practice."

"Habitat must remain the focus of conservation planning," they wrote.

They added that the Interior Department "only has authority to manage habitat and should reinforce its coordination with the states, who manage the birds, on habitat management goals and objectives that would be tracked using indices to sage-grouse populations."



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#### **11. NATIONAL MONUMENTS: Axing sites is a question for the courts — Zinke**

*E & E News, July 31 | Jennifer Yachnin*

BUNKERVILLE, Nev. — Interior Secretary Ryan Zinke yesterday acknowledged that any attempts by the Trump administration to strike down existing national monuments could face legal challenges, but he did not rule out that he could still recommend full-scale rescissions as he reviews the boundaries of dozens of monuments nationwide.

President Trump ordered the Interior secretary in late April to review the creation of dozens of monuments established since 1996, with a focus on those sites that encompass more than 100,000 acres.

To date, Zinke has recommended that the White House make significant reductions to the 1.35-million-acre Bears Ears National Monument in southeastern Utah, while ruling out any changes to three monuments: the Craters of the Moon in Idaho, Hanford Reach in Washington state and Canyons of the Ancients in Colorado. He has also indicated that he will not seek alternations to the Upper Missouri River Breaks National Monument in Montana.

In remarks at a privately owned ranch here in Nevada — where Zinke stood against a backdrop of the Gold Butte National Monument in 110 degree heat — the secretary said his review of the remaining 22 monuments has found a "handful" of sites with potential issues, including proclamations that could bar traditional uses, hunting or fishing. He did not offer specific examples or name the monuments in question.

But Zinke pointed to past changes to monuments, asserting that previous presidents have altered sites at least 18 times.

"I don't think there's too much question that a monument can be adjusted. Whether a monument can be rescinded or not, that is a question for the courts. I'm going to do the right thing," Zinke said.

While President Obama was the most recent chief executive to expand a monument — he added to the Papahānaumokuākea Marine National Monument in 2016 — no president has reduced a



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monument since President Kennedy modified the boundaries of the Bandelier National Monument in New Mexico in 1963.

Legal scholars who have studied the Antiquities Act of 1906 — the law that allows presidents to designate existing federal lands as monuments for the protection of objects of cultural, scientific or historic value — have asserted the drop off in reductions is due to the adoption of the Federal Land Policy and Management Act in 1976 (Greenwire, July 28).

Moreover, no president has ever sought to overturn a monument designation made by one of his predecessors, and observers have suggested that Trump would prompt legal challenges should he attempt to do so.

But Zinke said he also hopes to see Congress address what he views as conflicts in some monuments, pointing to overlapping areas of designated wilderness or other classes of land.

"What I think is inappropriate is to stack different classes of land on the same ground, because you have multiple bureaucracies, and that makes management difficult and confusing," Zinke said. "A pasture, just like out there, should have one set of rules ... should have some degree of stability."

Zinke said he has asked lawmakers to address whether monument designations should supersede other statutes, such as wilderness areas, that have previously been approved by Congress.

The secretary also raised concerns, as he has on visits to other monument sites, about a lack of visitor facilities and maintenance issues.

"Generally speaking, when you make a monument, you're going to have more people, and if we're going to protect those objects that the monument is intended to do, then you have to have things like a bathroom there," Zinke said.

#### **Silver State in a single day**

Zinke's visit to Nevada rounded out a week of travel during which he also made stops in Colorado and spent three days in New Mexico, where he visited the Organ Mountain-Desert Peaks National Monument and toured the land-locked Sabinoso Wilderness on horseback with the state's Democratic senator.



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But Zinke spent only a single day in the Silver State, cutting short a planned two-day visit there in order to return to Washington for a scheduled Cabinet meeting at the White House today.

"I jammed everything into one day," Zinke said at a press conference. He noted that he planned to speak with the state's senators and governor separately, as well as hold a telephone conference for Native American tribes with whom he could not meet.

According to an Interior spokeswoman, Zinke took part in an aerial tour of the Gold Butte monument along with state Assemblyman Chris Edwards (R); Moapa Valley Water District's Logandale director, Lindsey Dalley; and Partners in Conservation Administrator Elise McAllister.

Zinke also stopped at the Basin and Range monument, where he viewed the White River Narrows Rock Art Site and met with state Attorney General Adam Laxalt (R) and the Bureau of Land Management's acting Nevada director, Marci Todd.

During his visit to Basin and Range, Zinke also met with officials from the Los Angeles County Museum of Art to tour Michael Heizer's large installation "City." The museum agreed to a conservation easement last year to grant BLM rights to 1,300 acres of private land around the installation within the monument.

The secretary was also scheduled to meet with Friends of Nevada Wilderness Issues Chairman John Hiatt; Conservation Lands Foundation Nevada Program Director Jocelyn Torres; Friends of Basin and Range ecologist Jim Boone; and University of Nevada, Las Vegas, Program Coordinator for Native American Populations Patrick Naranjo.

But Zinke acknowledged today that he will not be returning to Nevada before he is set to issue his final report — including recommendations on the state's newest national monuments — on Aug. 24.

"I haven't decided anything," Zinke said about the two Nevada sites. "We'll review everything."

He noted that he is concerned about access for hunting and fishing, as well as for "infrastructure upgrades," including both roads and access to upgrade transmission lines and implement flood control.



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Battle Born Progress Executive Director Annette Magnus decried Zinke's shortened visit to the state — particularly following his three-day ramble through New Mexico — noting that her group was among those set to attend a canceled roundtable meeting today.

"I would want to ask the secretary how he thinks it's acceptable to tour both monuments — go on a hike of Gold Butte — but not actually meet with the advocates who have been spending their lives working to defend these special places?" Magnus told E&E News.

Magnus noted that two separate meetings with Zinke were scheduled and then canceled, adding: "We're still hoping that he'll reach out to us and have a meeting with us."

Magnus criticized Zinke's short visit to the state, asserting he did not spend a sufficient amount of time to examine the land, calling the less-than-24-hour trip "highly unacceptable."

The progressive group is set to hold a press conference today in place of its planned meeting with Zinke, including Nevada Rep. Dina Titus (D) and local elected officials.

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#### **12. FLOODS: Burn scars open up barren land to different threat**

*E & E News, July 31 | Dan Frosch, Wall Street Journal*

Intense wildfires have quieted down in some parts of the country, but Western states now must prepare for potential flooding this summer.

Heavy rains are mostly welcome for the typically parched Southwest, but Arizona and Utah have seen deadly and historic cases of flooding.

The scorched pieces of land are now barren of vegetation and particularly prone to flooding. State emergency officials say they will be keeping a close eye on these areas.

Just yesterday, large portions of Southern California were under a flash flood watch due to threat of heavy rainfall.

On Wednesday morning, a flash flood tore through part of Salt Lake City, flooding several schools, a public library and parts of the city's transit system.



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And in Arizona, 10 people died this month after a flash flood swept through a popular swimming hole in Tonto National Forest (Dan Frosch, Wall Street Journal, July 30).

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#### 13. **PUBLIC LANDS: Border wall bill would ease enviro rules**

*E & E News, July 31 | Jennifer Yachnin*

House Natural Resources Chairman Rob Bishop (R) on Friday praised legislation to advance an expansion of the border wall along the United States' southern boundary with Mexico, noting that the bill would exempt U.S. Customs and Border Protection agents from environmental laws.

Under the "Border Security for America Act" introduced by Homeland Security Chairman Michael McCaul (R-Texas), Congress would allocate \$10 billion for the construction of a "wall, fencing, technology, air assets and other barriers," while also adding 5,000 patrol agents and 5,000 CBP officers.

In addition, the bill would provide \$5 billion to modernize ports of entry and authorize up to \$35 million in reimbursements to states that deploy their National Guard troops along the border.

"We are talking about a historic, multi-layered defense system that makes it nearly impossible for bad actors to slip through the cracks," McCaul said in a statement. "We must have physical barriers — including a wall where necessary and fencing when appropriate, the right technology, and more personnel in place to enforce our laws and detain those attempting to enter illegally."

Bishop highlighted the bill's inclusion of language that would allow CBP to act without regard to key environmental laws — such as the National Environmental Policy Act, Endangered Species Act, Migratory Bird Treaty Act, Safe Drinking Water Act and Antiquities Act — when operating within 100 miles of the border.

The Utah lawmaker has long advocated for such a change, arguing that current prohibitions hobble the abilities of CBP agents to operate on public lands.

"For too long, federal land management agencies and regulatory policies have left us vulnerable," said Bishop, who helped author the bill's Section 112.



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Bishop added: "The status quo gives drug and human traffickers the upper hand as our federal border lands, including ecologically sensitive areas, remain exposed to illegal crossings and environmental degradation."

The Interior Department manages nearly 800 miles of border territory, or about 40 percent of the U.S.-Mexico boundary as it crosses California, Arizona, New Mexico and Texas.

In addition, within 100 miles of the line, Interior oversees more than 25 million acres of public lands, including six wildlife refuges, lands held in trust for four American Indian tribes, a half-dozen national parks and Bureau of Land Management districts.

"We've been working on this initiative for a long time, and with the Trump administration's commitment to border security, it's time to move the ball forward," Bishop said.

Environmentalists have long objected to Bishop's push for waivers for CBP officers arguing that such activities can irreparably damage fragile landscapes.

Construction of a new border wall, however, is already exempt from those environmental regulations under the 2005 Real ID Act, which allowed the Department of Homeland Security to speed construction of barriers along the border.

Center for Biological Diversity Endangered Species Program senior attorney Brian Segee dismissed Bishop's latest effort to waive environmental laws as "redundant and counterproductive," noting that CBP has signed memorandums of understanding with other agencies that give it wide latitude over access to public lands.

"As a whole, this dangerous legislation would give free reign to DHS and CBP on our public lands and throughout the borderlands. No federal agency — however important the mission — should be exempted from our nation's laws," Segee added.

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#### 14. **MINING: 'Coal to cars'? Ky. company bets that could be a thing**

*E & E News, July 31 | Dylan Brown*

The company behind what could be Wyoming's first new coal mine in years has bet big on the black rocks — but not for generating electricity.



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If state regulators advance Ramaco Carbon LLC's permit tomorrow — over objections from a rival coal company, landowners and conservationists — the Kentucky-based company will be on its way to building the Brook mine between Sheridan, Wyo., and the Montana border.

The strip mine would be just phase one of a plan that includes a research laboratory and industrial park in the Tongue River Valley. It would be an entire complex dedicated to the idea of turning coal into carbon fiber — a stronger, lighter alternative to metals like steel and aluminum for use in manufacturing.

The technology behind an unprecedented all-in-one "coal to cars" operation, as critics are quick to point out, is unproven, and nothing is built or even permitted yet.

Still, Ramaco CEO Randall Atkins foresees the Brook mine one day supplying coal to build the durable, lightweight and environmentally friendly vehicles of tomorrow.

"We have just touched the surface today on potential uses," he wrote in a presentation to a Wyoming Mining Association conference this year.

First the company must break with the business model that has sustained the Wyoming coal industry for decades. "Long term, the safest bet is that coal may not prevail in the 'race to the bottom' as the cheapest base load fuel for power generation," Atkins said.

A smiling, animated lump of coal in his presentation appeared meant to defuse tension in a room full of coal executives, who sell more than 90 percent of their product to make electricity.

Atkins said a solution to the fuel's woes was to "create a more intelligent use for coal, with a higher value end use, which will lead to a higher price paid for the coal and ultimately far greater use."

Atkins has gotten used to making waves. His other company, Ramaco Resources, went public in January and is bringing two West Virginia mines online, hoping to take advantage of improving conditions for steel-producing coal (Greenwire, Jan. 3).

But how did telling his Wyoming colleagues to "think outside the box" go over? "They were complimentary that someone is trying to look around the corner," Atkins told E&E News.



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Wyoming Mining Association Executive Director Travis Deti is confident coal is "going to be around for a while," but despite President Trump filling the air with promises to restore the fuel's former glory, the search is still on for alternative uses.

Ramaco "found what they think is a market they can fill," Deti said. "We're supportive of them, and I know they've got a lot of support from around the state. They're going to have to work through their issues with their permitting, but I think they are doing things right."

#### **'A deficiency is a deficiency'**

Not so, say the cadre of unlikely allies fighting the Brook Mine. They see the coal-to-cars plan as a pipe dream and worry more about the mine's environmental impacts.

When the Wyoming Department of Environmental Quality decided Ramaco subsidiary Brook Mine LLC's permit technically met state standards last year, challenges followed.

Opposition came from mining company Lighthouse Resources Inc. and its subsidiary Big Horn Coal Co. The Powder River Basin Resource Council and Tongue River Valley residents Mary Brezik-Fisher and David Fisher also objected (Greenwire, Feb. 1).

Big Horn has long been battling Ramaco over access at the proposed mine site. Ramaco owns the coal, but Big Horn, which formerly mined in the area, owns surface rights.

When it comes to the council and residents, they have varying grievances, but their central point is that Ramaco's plans do not meet state standards.

Hearings before the Wyoming Environmental Quality Council started in May and stretched over three months, with testimony from various experts and concerned ranchers and families.

Ramaco, they said, lacked baseline data on water quality and monitoring and failed to identify how its reclamation plan will restore the land to pre-mining conditions.

Landowners also expressed concern about subsidence in a region already battling unstable ground and coal-seam fires from previous mining.

Fisher and Brezik-Fisher's attorney said Ramaco simply could not prove its mine would not cause "material damage to the hydrologic balance" — the federal surface mining law standard — "in this historic and important river valley."



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Throughout the deliberations, Ramaco has consistently deferred to DEQ, which the company says has "the most relevant experience and expertise" and is "unbiased."

After years working with DEQ on the permit and providing 12 volumes of documents and other information, Atkins said, "we're pretty comfortable that that's the decision the EQC will also share."

Ramaco attorneys accused objectors of not understanding how the company's documents address their concerns. "They spent merely days, hours, or no time at all reviewing Brook's permit," the attorneys wrote.

But Big Horn said in its own filing, "The law requires Brook Mine's permit application to stand on its own. Analytical gaps, missing data and inaccurate information required by law to be included in a surface coal mine permit application simply cannot be remedied with testimonial assurances or by reference to DEQ's review process."

Powder River Basin Resource Council attorney Shannon Anderson said, "A deficiency is a deficiency, and the permit needs to be denied if there are deficiencies."

#### **DOE grant**

Permit revisions are unlikely to soothe the hostility between Ramaco and at least some of its critics. As Ramaco noted in one filing, Big Horn "had the sheriff's department escort Brook's contractor out of the area" when it tried to sample groundwater.

Another run-in over the coal-seam fire has left some landowners with doubts Ramaco will be a good neighbor. Atkins called that "silly," accusing PRBRC of drumming up fear.

"The great bulk of Sheridan County is very supportive of what we're doing," he said. "The particular group that has objected to us ... has basically challenged any fossil fuel development in Wyoming for a long time."

A flashpoint came in recent weeks when Ramaco announced the company and its partners had been selected for a \$7 million Department of Energy grant to fund research at the company's Carbon Advanced Materials Center, also known as iCAM.



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Critics pointed out that DOE's Vehicle Technologies Program was only giving \$3.7 million to the Laramie, Wyo.-based Western Research Institute, Ramaco's main partner.

WRI still has to come up with matching funds to secure \$7 million for researching how carbon fiber from a variety of feedstocks — not just coal — can be used in transportation.

Powder River Basin Resource Council Chairman Bob LeResche pointed out that Ramaco's dream of a "Wyoming iPark" exists only in "promoters' imaginations."

LeResche compared Ramaco's plans to another troubled Wyoming coal project propped up by DOE money: the infamous Two Elk power plant and carbon capture research venture that resulted in criminal charges (Climatewire, June 14).

"At this point, Ramaco's press release is nothing more than a sales pitch to garner support for the deficient mine permit and further their attempt to mine local and national taxpayers," LeResche said.

#### **'To Infinity ... and Beyond'**

WRI is still very much on board, and Ramaco asks to be judged by "the company we keep," touting partners like the Oak Ridge National Laboratory and Massachusetts Institute of Technology.

For the past four years, Western Research Institute CEO Donald Collins has been working with Ramaco to find an alternative use for coal.

Energy research is a specialty of the institute established in 1983 on the site of the former federal Laramie Energy Technology Center.

Carbon fiber is relatively new and a large-scale coal-to-carbon production is unprecedented. But WRI is not alone.

The University of Virginia received \$3 million from DOE. Also, University of Utah and University of Kentucky researchers are already working under another federal grant (Greenwire, June 30).



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Collins said the plan — being worked on with DOE — is to study the chemistry and molecular structure of coal to identify how best to extract a pitch or tar that can be used to make carbon fiber.

Until the iCAM facility is built — Ramaco hopes to break ground in 2018 — the research will take place in Laramie. Researchers will look to isolate the desired qualities in coal, which may vary from mine to mine.

Once construction is complete, the plan is to then migrate staff and the work gradually, and bring in national lab, university, private research and manufacturing partners. By that point, Ramaco hopes proximity to the mine will allow it to scale up quickly.

WRI joined forces with Ramaco and not another company, despite the permitting struggles, because the Brook mine is on private land, free from royalties and fees charged on most coal in the Powder River Basin. Cost is critical, Collins said, as the technology gradually becomes more efficient.

Some industries, like aviation and aerospace, may be willing to pay a premium for a product with a better strength-to-weight ratio, but a lower price is key to the ultimate goal of breaking into cars.

If prices can drop to roughly \$5 per pound of carbon fiber, Ramaco estimates say demand could reach upward of 200 million tons a year — roughly a quarter of current annual coal production nationwide.

The "twist," Collins said, is that coal would not have to be burned, reducing carbon emissions. Plus, carbon fibers would reduce the weight of vehicles, starting around 10 percent and gradually moving toward 30 to 40 percent, he said, boosting fuel economy by upward of 30 percent or helping electric cars go farther on a single charge.

With hopes for a net reduction in emissions, Collins said, environmental opposition to the project is frustrating.

"Maybe it's just too much thinking about coal and its old historical form, how it was used to make electricity, but this is dramatically different with a lot of environmental and health improvement opportunities for the population around the whole world," he said.



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Finishing his presentation at the Wyoming Mining Association conference, Atkins stated, "We have just touched the surface today on potential uses. As Buzz Lightyear said, 'To Infinity ... and Beyond.'"

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